





MAP SHOWING SIZE OF ALASKA; BLACK AREA REPRESENTS ALASKA

A L A S K A

A history of its administration, exploitation, and industrial development during its first half century under the rule of the United States

by

Jeannette Paddock Nichols, Ph.D.



The Arthur H. Clark Company
Cleveland: 1924

979.8
Nichols

COPYRIGHT, 1923, BY
THE ARTHUR H. CLARK COMPANY

904
N62

TO
R. F. N.

5779

Contents

PREFACE :	11
INTRODUCTION BY THE HONORABLE JAMES WICKERSHAM	17
THE MILITARY OCCUPATION	35
Background of Alaska History	35
First Provincial Government and First Plea for Home Rule	39
Customs and Leasing Acts	45
Early Attempts to Pass a Bill for Civil Government	49
Conflicting Reports	53
MERELY A GEOGRAPHICAL SUBDIVISION	59
Joint Administration of Collector Ball and Captain Beardslee	59
First Non-Partisan Convention: Delegate Ball, 1881-1882	65
Organic Act of 1884: Its Evolution	71
THE ORGANIC ACT AS INTERPRETED BY THE GOVERNORS	83
Governor Kinkead 1884-1885	83
Governor Swineford 1885-1889	88
Governor Knapp 1889-1893	93
Governor Sheakley 1893-1897	95
THE ORGANIC ACT AS INTERPRETED BY THE PIONEERS	101
Causes of Friction	101
Education and Race Prejudice	102
Prohibition	106
Administration of Justice	108
LEGISLATIVE ATTEMPTS AT RELIEF FROM THE ORGANIC ACT	115
Problem of Territorial Organization in respect to Land Ownership	115
Second Non-Partisan Convention: Delegate Carroll, 1890-1891	126
Party Recognition	133
Discussion of a Delegate	136

THE KLONDIKE	141
"Klondicitis"	141
The Police Power	143
The Alaska Complex at Washington	145
Homesteads and Railroads	154
The First Taxation – the Criminal Code	159
PROVISIONS FOR CIVIL GOVERNMENT	165
Development of Public Opinion	165
Third Non-Partisan Convention: Delegate Price, 1899-1900	171
The Civil Code	174
Immediate Political Effects of the Klondike	182
MORE TROUBLES	185
The Return of Price	185
Irritants from the Old Regime: Canada – Nome – Brady – Jackson	188
New Impulses toward Home Rule: Taxation – Municipal Incorporation – Personal Partisanship – Monopoly	197
Fourth Non-Partisan Convention: A Dismal Failure, 1903	204
"GOD IS AFAR OFF AND IT IS A LONG WAY TO WASHINGTON"	221
Report of the Sub-Committee, 1903-1904	221
Reaction of the Fifty-eighth Congress	227
Reaction of Alaskans	238
Combined Effect upon the Home Rule Movement	245
"IN SELF-DEFENSE"	249
New Hope for a Delegate	249
An Alaska Convulsion, Seattle, November, 1905	255
Delegate Bill Passed – May, 1906	260
Economic Legislation with Political Consequences	262
Birth of Alaska Politics, August, 1906	269
Governor vs. Delegate	278
RAILROADING ALASKA POLITICS	287
Three Men: Hoggatt, Cale, Wickersham	287
Republicans by Proxy, Juneau, November, 1907	295
Governor vs. Delegate in re Territorial Government	298
Why Alaska Interested Congress	304
Anti-Guggenheimism	306

CONTENTS

7

The First Anti-Guggenheim Campaign, 1908	309
Patronage Politics	317
PROPAGANDA	325
Alaska, "The Red-haired Boy of the Nation"	325
Conservation in Terms of Monopolies	335
The Keystone Canyon and the Patronage, 1910	347
Failure of the Commission Plan	349
The Election of 1910	358
CONSERVATION, THE FOOTBALL OF POLITICS	363
The Cordova Coal Party, May, 1911	363
Taft Administration under Fire	370
The "Dick to Dick" Letter, Opera Bouffé	374
A LEGISLATURE AT LAST	383
Hearings on Home Rule	383
The Alaska Problem Re-stated	390
Campaign of 1912	395
Passage of the Home Rule Act, August, 1912	399
Conclusion	405
APPENDIX: THE ORGANIC ACT OF 1884	411
GUIDE TO ALASKANA IN THE UNITED STATES	419
Location of Periodicals published in Alaska	425
Periodicals published outside of Alaska	429
INDEX	433

Maps and Portraits

ALASKA SUPERIMPOSED UPON THE UNITED STATES .	<i>Frontispiece</i>
PORTRAIT OF ALFRED P. SWINEFORD	88
Governor of Alaska, 1885-1889	
PORTRAIT OF JAMES WICKERSHAM	292
Delegate to Congress, 1909-1921	
MAP OF ALASKA OF TODAY	432

Preface

THERE is doubtless no large part of the United States of which the general public is more ignorant than Alaska. Dr. H. H. Bancroft, Dr. W. H. Dall, and Dr. F. A. Golder have published facts concerning the early history of the territory under the Russians. A score of Klondike stampeders have put into print their stories of her gold. The Geological Survey of the United States Department of the Interior has issued bulletins of her mineral resources. The States Relations service of the Department of Agriculture has printed reports of her agricultural possibilities. Numerous tourists have written "appreciations" of her scenery. Upon occasion hosts of magazines have told the public what they saw fit as to Alaska's coal and railroads. But thus far no one has offered to those interested in the Alaska of today an account of her political development.

The laws of geography, of economics, of politics have conspired to subject Alaska to a peculiar series of misfortunes. To a great degree the administration of her affairs has been most misguided. The consequence has been that she has spent forty-five years in painfully acquiring the political status commonly accorded to our territories after a comparatively brief and uneventful novitiate. She belonged to the United States seventeen years before she had any legal government whatsoever. Sixteen more years passed before Congress determined what laws should guide her people in their

daily conduct. Another six years elapsed before the territory was permitted an official representative at the national capital, and an equal and additional length of time before the pioneers were permitted to take any part in making the local laws under which they were governed.

What follows aims to narrate the course of events in Alaska during the half century when her legislature, Congress, was located five thousand miles away. It describes the mood and temper of Congress as it occasionally and hastily fashioned a few legislative garments for Alaska. It tells how those clothes were never cut to fit, how Alaska tore them out in the seams and wore them out at the elbows, with Congress too busy to mend, and finally how the pioneers learned to piece together such political attire as they thought necessary and decent.

As the larger part of this story has to do with events occurring inside of the last twenty-five years, the author is greatly indebted to the actual participants in these affairs for the facts concerning them. Many people have corresponded often, granted frequent interviews, loaned source materials, and read manuscript.

For data on the period of no government, 1867-1884, the writer is indebted to Dr. W. H. Dall, early connected with the Coast Survey in Alaska and since with the Smithsonian Institution; Dr. S. Hall Young, one of the earliest Presbyterian missionaries in Alaska and a participant in the first territorial convention, 1881; Mr. Louis Sloss, president of the Alaska Commercial Company; and Mr. Henry W. Elliott, sometime special agent of the Treasury Department on the seal islands.

For the period of the hierarchy, 1884-1900, special assistance has been rendered by the Misses Lesley and

Sheldon Jackson, daughters of Dr. Sheldon Jackson, who was general agent for education in Alaska for more than two decades; Miss Mary Brady, daughter of John G. Brady, a prominent resident of the territory for forty years and governor, 1897-1906; Mrs. Allen Shattuck, daughter of A. P. Swineford, newspaper editor, 1885-1909, governor, 1885-1889, and at all times a prominent advocate of home rule; Miss E. R. Scidmore, traveller and author; Dr. J. A. Marquis, general secretary of the Presbyterian Board of Home Missions since 1917; Captain G. T. Emmons, U. S. N., retired, long stationed in Alaska waters, and Mr. W. T. Lopp, missionary and teacher in Alaska beginning 1890 and chief of the Alaska Division of the Bureau of Education since 1910.

For the period of political and industrial development, 1900-1912, aid has been given by the Honorable James Wickersham, judge for the third judicial division in Alaska, 1900-1907, and delegate to Congress from Alaska, 1909-1921; Mr. John N. Steele, counsel for the Alaska Syndicate; the Honorable Dan Sutherland, marshal for the first judicial division in Alaska, 1909-1910, and delegate to Congress from Alaska, since 1921; Mrs. Dan Sutherland; the Honorable Walter E. Clark, Governor of Alaska, 1909-1913; Honorable J. F. A. Strong, Governor of Alaska, 1913-1917; Honorable Thomas Riggs, Governor of Alaska, 1917-1921; Honorable George Curry, Governor of New Mexico Territory, 1907-1910, and representative from the state of that name, 1911-1913; General Wilds P. Richardson, assigned to Alaska duty since 1900 and head of the Alaska Road Commission since 1905; Mr. John G. Price, delegate to Washington from the Alaska Non-partisan Convention of 1899; Dr. C. C.

Georgeson, specialist in charge of Alaska Agricultural Experiment Stations since 1898; Mr. J. C. McBride, Republican national committeeman from Alaska since 1920; Honorable Louis D. Brandeis, justice of the Supreme Court; Honorable Knute Nelson, senator from Minnesota since 1895 and the senator most actively connected with Alaska legislation since 1903; Honorable W. E. Borah, senator from Idaho since 1907; Honorable H. S. New, senator from Indiana, 1917-1923; Mrs. O. H. Platt of Connecticut, whose deceased husband served in the Senate, 1879-1905; Honorable William Sulzer, representative from New York, 1895-1913, and active on Alaska legislation, 1903-1913; Honorable C. F. Curry, representative from California since 1913, and a part of that time Chairman of the House Committee on Territories; Mr. J. W. Hallowell, assistant to the Secretary of the Interior, 1919-1920; Mr. Ashmun Brown, private secretary to the governor of Washington, 1905-1907, and to the Secretary of the Interior, 1910-1911; Mr. C. L. Andrews, a participant in the Klondike stampede and ever since a student of Alaskan affairs; Mr. H. A. Morrison of the House of Representatives Reading Room, Library of Congress, expert compiler of Alaska bibliography; Mr. Charles Sheldon, naturalist and sportsman interested in Alaska game laws; Mr. H. M. Gilman, chief clerk of the Alaskan Engineering Commission; Mr. J. Underwood, newspaper correspondent and writer on Alaskan affairs; Miss Ida Tarbell.

For helpful suggestions regarding the narrative as a whole, thanks are due to Dr. F. A. Golder, authority on Russian-American history; Dr. D. S. Jordan, special investigator of fur seals and of fisheries, and also a member of various commissions having to do

with these matters, 1877-1910; President N. M. Butler of Columbia University, among the early investigators of Alaskan affairs; Professors B. B. Kendrick, D. R. Fox and Lindsay Rogers of Columbia University; Professor E. S. Meany of the University of Washington; Professor M. W. Williams of Goucher College; Dr. Priscilla Fowle of the Boston Athenaeum, and Professor F. J. Turner of Harvard University. Special mention is due the late Professor W. A. Dunning of Columbia University.

The writer is deeply obligated to Dr. A. H. Brooks, geologist in charge of the Division of Alaska Mineral Resources since 1902. His absolute aloofness from controversy, his complete dissociation from politics, and his scientific impartiality are an inspiration to the student who has the privilege of his criticism.

To Mr. Thomas Cowles, of the library of the Department of Agriculture, the writer is indebted for timely and efficient reading of proof.

It is a pleasure to express appreciation of the splendid facilities for research, which were so indispensable and which were so generously granted the writer by the staff of the Library of Congress. Thanks are also due to the many librarians throughout the country who gave assistance in the matter of searching for Alaskana.

Responsibility for the method of interpretation and presentation of the facts in this book is solely assumed by the author of it. This must be distinctly understood by the reader because there has been included extremely controversial material.

JEANNETTE PADDOCK NICHOLS

Washington, D. C., July 1, 1923

Introduction

The ^{purchase} acquisition of Alaska was made with the view of extending national jurisdiction and republican principles in the American hemisphere.— President Johnson's Fourth Annual Message, December 9, 1868.

The struggle for home rule and an American type of government in Alaska has now continued for more than half a century of American occupation. It is an historic struggle; it brought on the Pinchot-Ballinger investigation in Congress; destroyed the friendship between Theodore Roosevelt and President Taft; split the Republican party into two great factions; defeated President Taft for re-election in 1912; elected Woodrow Wilson President of the United States; and changed the course of the history of our country. Its echoes still resound in the halls of Congress; a small match, but a great conflagration.

The struggle for home rule and good government in Alaska is neither of recent origin nor ended. It commenced about the time the thirteen colonies were mutually pledging each other their lives, their fortunes and their sacred honor in support of another struggle for human liberty on the American continent. Mayhap, earlier, seed from the Anglo-Saxon field lodged in the mind of the youthful Peter, the Great, while studying the arts of shipbuilding and foreign colonization and trade in England, and was thence transmitted to Russian America by the handwriting of Peter in his in-

structions of December, 1724 to Captain Bering for the exploration of the then unknown north Pacific seas.

The English colonists settled the Atlantic coast of America to escape from oppressive conditions in Europe, and brought with them developing principles of free government. They were men of strong initiative who had the personal courage necessary to press their ideas to fruition on fair opportunity. The oriental mind of Russia was a denser medium and the then growing light of liberty in government scarcely penetrated its shadows. However, a fair comparison of the government established by the Czars in Russian America with that more recently created by the United States in Alaska tends to relieve the early Russians from too harsh criticism, and to suggest to us the Master's rebuke to the rabble—"Let him that is without sin cast the first stone."

Before Thomas Jefferson became President of the United States, Alaska, with all its resources, was chartered by the Czar of all the Russias to the Russian-American Company. Although its coasts and islands had been previously explored and its resources of sea and land prospected and worked by the free voyagers, fur traders, and *promyshleniki* from Siberia, although these subjects of great Russia had established trading posts and routes of transportation, and had made large investments in trade with the new world, the charter of 1799 destroyed their pioneer rights and investments and compelled them to abandon the rich fur coasts of Alaska and return to Siberia in ruin and despair, or to accept such employment as the newly chartered Russian-American Company chose to give them on such terms as it pleased to bestow.

"By the grace of a merciful God, we, Paul I, Em-

peror of all the Russias," – granted the whole of Russian America to the Russian-American Company, for twenty years exploitation on July 8, 1799.¹

In this charter the Czar declared the Russian-American Company under "our highest protection," and "for the purpose of aiding the company in its enterprises" allowed "the commander of our land and sea forces to employ said forces in the company's aid, if occasion requires it." He further granted to the Company all that his other subjects had previously created in a half century of endeavor in Russian America and all the fish in the sea and the wealth of the land. And, that there might be no independent or progressive, or other anti-Czaristic views remaining in the colony, the sixth clause of the charter required the Company to employ only "free and unsuspected people having no illegal views or intentions."

One paragraph after another of the royal charter made more certain and secure the great Company's monopoly of all Alaska's resources; and the power of government in the great territory was then given into the hands of the Russian-American Company's appointive officials by a ukase, declaring that "Only partners of the Company shall be employed in the administration of the new possessions in charge of the Company."

Armed with this imperial charter and guarded by the Russian Army and Navy, the autocratic control of the Russian-American Company was established over Alaska and maintained there to the exclusion of every independent trader and settler. Among the stockholders in the Company were the Czar and his Empress, the grand dukes and senators, and men high in the

¹ Bancroft (H. H.) *History of Alaska*, San Francisco, 1880, p. 379.

Russian Government – it was an autocratic, chartered government, in which the voice of the people was not heard.

Twice was the charter renewed, in 1821 and 1844, with the consequence that, from 1799 to 1867, the Russian-American Company was the government of Alaska, limited only by the ukase of the Czar and the rules and regulations thereto. Then, as now, there were “rules and regulations” of government officials, prepared in those days in far away St. Petersburg.

Thus for seventy years, under these autocratic charters, the Russian-American Company ruled Alaska with an iron hand. Free and suspected “people having illegal views or intentions” were rigorously excluded from the territory. The Company controlled all trade, foreign and domestic, forbade the settlement of the land by any one except servants of the Company, enslaved the people, serfs and natives alike, and ruled them summarily without regard to fixed laws or just rules. The torch of liberty was never alight in Alaska under Russian rule.

Nor was the slightest independence in trade, or religion, or government tolerated. The Company controlled every natural resource in the territory though it developed only the fur trade. Its servants and serfs built their camps and trading posts on the copper ledges of Prince William Sound; but examined with mere curiosity the copper nuggets from Chitina where today another great company works the most valuable copper deposits in America. They caught seals and walrus on the golden sands at Nome. They viewed the vast coal deposits of Cook Inlet, Matanuska, and Katalla with little interest, though chains and irons for fettering human bodies, found in illy worked coal pits, prove

that Siberian convicts worked Kachemak coal for the Company's use. They sailed through salmon and halibut shoals unequalled in the world, but saw no promise in them or in the wide and fertile and salubrious valleys of the Yukon, Kuskokwim, Susitna, and other large Alaska rivers.

The Company's employees became accustomed to submit without a murmur to the dictates of the governor, from whom there was no appeal, save to a court from whose seat they were separated by more than one-third of the earth's circumference.² They bowed their heads to the Company's orders whether just or unjust with the whispered sigh of despair—"Heaven is high and St. Petersburg is far away; our prayer can never reach either throne."

Meanwhile thousands of people were flocking into the United States (drawn by their natural longing for economic opportunity, human liberty, and higher ideals in government) British America, separated from Alaska only by an agreed boundary line, began to increase its population from this same class of people, while at the end of a century of Russian rule there was little of population, patriotism, or public spirit in Russian America. The colony became a source of expense and anxiety to the Czar who found it necessary to find ways and means to prevent it from passing under the dominion of his greatest rival in foreign colonization and trade. To save it from becoming an English possession which would advance the frontier of that power to Bering's straits, he was obliged to and did, on March 30, 1867, sell it to the United States for the paltry sum of \$7,200,000—a sum less than one-half its present annual output of canned salmon.

² Bancroft *op. cit.*, p. 601.

Thus all the efforts of the powerful Czars of all the Russias to establish and maintain a Russian colony in Alaska failed, and their plan fell of its own palsied weight, for it was founded, in error, on the ancient oriental principle of autocratic power. It took no note of the rising world idea of a government of the people, by the people, for the people.

The treaty of purchase of Alaska was concluded on March 30, and ratified by the Senate on May 28 following. In a lengthy and learned speech in support of the ratification, Senator Charles Sumner specifically dedicated Alaska to future statehood in the Union and made a prophetic appeal to the Senate on behalf of the tide of Americans to flow into Alaska in the future. But little heed was paid his remarks then, or those of Seward on his visit to Alaska two years later; and three decades were to elapse before the treaty of purchase was recognized as having legally incorporated Alaska into the body of the United States as one of its territories and potential states. And in the meantime the far-away pioneers were left to fend for themselves. Their struggle for the exercise of the rights of citizenship were dramatic.

There lie on the desk before me as these lines are written three old original record books which contain the story of the first effort of citizens of the United States to organize American government in Alaska, immediately following the raising of the American flag on October 18, 1867. Gathered in voluntary public assembly at Sitka on the distant shores of what had less than thirty days before been a colony of autocratic Russia, these free citizens of the United States, led by an Irishman, Thomas J. Murphy, the Patrick Henry of Alaska, and the first editor of the first newspaper

published in Alaska, formulated a local charter and ordinances, which provided for their common safety and government, for courts of justice in the land where Congress had not yet authorized such jurisdiction, for law and order and free public schools; and on November 14, less than one month after they had landed on the shores of Alaska, they adopted an organic law. This was ratified by the votes of the citizens of the settlement and was submitted to General J. C. Davis there in command. He had no "desire to interpose any objection" and willingly promised to "give the citizens every assistance in his power compatible with his military duties." What followed after this novel government was set up and an appeal therefrom sent to Congress, is well and interestingly told by Doctor Nichols.

Every territory heretofore created in the United States was provided at the time of its creation with the usual three subdivisions of government, the executive, legislative and judicial. Alaska was the only exception. For seventeen years, from 1867 to 1884, it had no form of government. Then Senator Benjamin Harrison, of Indiana, drafted and put through Congress a bill providing for the appointment of a governor and the organization of a district court. But it lacked a legislative provision. So for forty years Alaska had no delegate in Congress. Then, so flagrant became the necessity for representative government in that distant land, now moving forward under the quickening impulse of mining and trade, and a rapidly growing population, that President Roosevelt vigorously espoused the cause of a delegate, backing Frank Cushman, congressman from the state of Washington, in his efforts along that line. In 1906, therefore, Congress passed an act granting Alaskans the right to elect a delegate.

Yet even this left them still without a territorial legislative body, and they renewed, for five years more, their half century struggle for wider home rule. It was left for the Taft administration, contrary to its wishes, to provide this boon.

When Mr. Taft was inaugurated President of the United States on March 4, 1909, a newly elected delegate to Congress from Alaska took his seat in the House of Representatives. Backed by more than a century of precedents in Organic Acts for territories, by the several messages of Presidents Hayes, Arthur, McKinley, and Roosevelt, in favor of the creation of an American form of territorial government for Alaska, by twenty years personal friendship with Secretary of the Interior Ballinger, and by a life-long membership in the Republican party, the delegate prepared a bill to create a legislative assembly. This bill was introduced June 7 and referred to the House Committee on Territories, of which the delegate was a member, for hearings and consideration.

But, alas for the aspirations of confident Alaskans, the new President had served too long as Governor-General at Manila, and was, according to Senator Dolliver, too closely associated with men "who knew exactly what they wanted." With ex-governor Hoggatt and Governor Clark, both of Alaska, with the chairman of the Alaska Road Commission, with bureaucrats, and with friends of the Alaska Syndicate, always at his elbow pressing fateful suggestions in line with his Philippine experience, President Taft for a time forgot those principles of popular government which had created great states out of the western territories, and adopted other principles cordially hated by Alaskans. He first gave publicity to his Alaska policy

in his address at the Seattle Exposition. As his train approached that city he is reported to have said to his travelling companions that he must talk about Alaska in his Exposition address, and to have asked for suggestions. John Hays Hammond, Secretary Ballinger and others advised with him. Then on September 30, 1902, in answer to a telegram from Alaska asking for a legislature, and to the great disappointment of the crowds of Alaskans attending the Exposition, he declared himself opposed to the delegate's bill and to home rule. These he felt should not be considered seriously until the territory's population had increased in size and stability. This declaration fell upon the great crowd of Alaskans and their state of Washington friends like a wet blanket. All enthusiasm for the President was crushed. It was the beginning of the end of Taft's political influence on the Pacific coast.

About this time rumor involved Secretary Ballinger and the copper trust with the fraudulent acquisition of coal claims in Alaska. The public imagination saw this distant territory, filled with golden sands and vast mineral deposits, almost, if not quite, carried off by a cunning and powerful syndicate ogre. Public opinion became more intense because the President proposed to appoint a legislative council to pass fundamental laws for Alaska. Criticism of the administration in relation to Alaska became so open and galling that the President was no longer in command of the leaders in Congress, for the tide of insurgency was rising, and Norris and Poindexter and other Republicans, assisted by Hitchcock and Jones, all to become senators through Taft's fall, were in open revolt in the House. Whatever may be said of President Taft, however, it cannot be truthfully maintained that he was afraid to carry

out his own views. In the absence of a trusted leader in Congress, willing to sacrifice himself in such a cause, the President assumed personal charge of the preparation of a bill to carry out his announced policy.

He determined to put the Alaska government with the Philippine government, under the control of the Bureau of Insular Affairs and thus govern an Asiatic population of Malays, and an American population in an American territory from one and the same autocratic bureau under the War Department. For this purpose he called in Mr. Paul Charlton, chief law clerk of the Bureau of Insular Affairs and Major Richardson, chairman of the Alaska Road Commission; and under his immediate supervision, they prepared a bill. Its sponsors found much difficulty in securing its presentation in Congress, but finally the political necessities of Senator Beveridge were such that he did introduce it for the President, on January 18, 1910.

The next morning the delegate from Alaska went into Senator Nelson's office on business, and the Senator, with a twinkle in his eye, said to him:

"Have you seen the Alaska government bill which Senator Beveridge introduced yesterday?"

On being answered in the negative, the Senator continued:

"Yes, it was introduced yesterday, and the Senate Committee on Territories is now in session considering it and the chairman hopes to report the bill favorably today and pass it soon."

The delegate hurriedly crossed the corridor to the door of the Senate committee room, and finding it closed, knocked several times before it was opened by the negro porter, who securely held it open about six inches, and said:

"The committee is in session, suh, and you can't come in."

"But," the delegate answered, "I am the delegate from Alaska and I wish to see Senator Beveridge."

"Yes, suh," the porter replied, "but he done tole me not to let you in."

Upon that statement the delegate put his foot in the crack of the door, and with his shoulder quietly pushed it open and walked in.

Senator Beveridge, chairman, sat at the far end of the committee table facing the door, while other members of the committee sat along the sides of the table, and as the delegate walked up to the vacant space at the end of the table next to the door the chairman said:

"Mr. Delegate, the Committee is in session and I cannot see you."

"But, Mr. Chairman," the delegate answered, "I am informed by a member of this committee that the Alaska Government bill is now under consideration by the committee, and I wish to be heard before it is reported."

Senator Beveridge then undertook to compel the delegate to retire without a hearing and a heated colloquy occurred between them, much to the amusement of those present. Finally members of the committee interfered and insisted the delegate be given a hearing on the bill, and thus overruled, the chairman said:

"Well sir, go ahead. You can have fifteen minutes."

The delegate asked for a copy of the bill, which he had not seen until then, and began to read and criticise its contents and authors; later the hearing was adjourned until next day. So many objections were then made that other witnesses were called and finally the president and New York counsel of the Alaska Syndicate were permitted to appear before the committee

and were given an "immunity bath." Thus hearings were extended to include the reasons why an appointive legislative council was desirable for Alaska and what it meant in a material way to the Alaska Syndicate.

Besides the fact that this was an administration measure and one which substituted appointed officials for elected representatives, there were other reasons for the fight against it. It permitted the President to place the entire government of Alaska under the Bureau of Insular Affairs of the War Department. It increased the prerogatives and emoluments of the chairman of the Alaska Road Commission. It empowered the legislative council to "grant franchises, privileges and concessions" without limits upon the terms of these grants. Taken as a whole, the bill would have established in Alaska a military oligarchy with legislative and executive functions, with power to grant "franchises, concessions and privileges" in coal lands, transportation and government, and with jurisdiction over the lives, property, and liberties of citizens, unlimited by the usual constitutional checks found in other organic laws for territories.

Not only did the chief executive of the nation approve the Beveridge bill, but yet another measure, which no one in Congress dared to introduce. This bill, Major Richardson said that he had prepared at the request of the President; and it purposed to encourage railroad construction by granting corporations having contracts for construction to or through any coal field the right to "select and lease from the government, at the rate of ten dollars per acre, five thousand acres of any coal lands" not already legally held. It appeared to those conversant with conditions in Alaska that the proviso was intended to give the Morgan-

Guggenheim Copper River railroad an additional grant of five thousand acres of coal lands adjoining the notorious Cunningham claims of five thousand two hundred and eighty acres, and to legalize the patenting of the latter. After the possibilities of such a monopoly were exposed before the Senate Committee no congressman dared to introduce this companion bill. As for the Beveridge bill, the Senate soon disposed of it, for no member of that body, except Beveridge and Piles, of Washington, would give it any favor. Senators Borah and Frazier distinguished themselves by expressing the general fear of such "peculiar" and "vicious" legislation; and after two days of unavailing effort Beveridge quit the Taft idea, pleading a sore throat and hoarseness.

But the public support given by the administration to these two bills had been as oil upon rising flames of congressional discontent. One day after Senator Beveridge had introduced the Taft appointive council bill in the Senate, the House Joint Resolution 103 – authorizing an investigation of the Department of the Interior and Secretary Ballinger on charges affecting Alaskan exploitation – was passed, and the spectacular struggle of the insurgents to destroy Taft and his administration was in full cry. Roosevelt and Pinchot and the entire progressive element in the United States were behind the movement.

The office of the delegate from Alaska was now visited daily by newspaper reporters and magazine writers looking for "muckraking" data – and never in vain. The first and the leading magazine attack upon President Taft in defense of popular government in Alaska was prepared by one of the most virile political writers in America, and was printed under the name

of Benjamin B. Hampton, in *Hampton's Magazine* for April, 1910, and it led the great progressive campaign then begun against Mr. Taft. The Taft-Beveridge bill was made the foundation of the story, and the "cast of characters for the great Alaska drama" began, according to this magazine, with the name of William Howard Taft, President of the United States, and concluded with "office holders of various degrees, bankers, lawyers, army officers, geologists, congressmen, promoters, lobbyists, mining engineers, desperadoes, fishermen, miners, merchants, and miscellaneous citizens."³

The President did not turn the other cheek; the defeat of his plans in the Senate in no way softened his opposition to the popular government bill for Alaska. He refused to consult with the delegate from Alaska on the subject, sending the latter word when the request for an interview was made that he had made up his mind about Alaska matters, and that an interview would not change it. The delegate was also ostracised politically and refused any consideration in the matter of Alaskan appointments. The Republican party in that territory, like that in the nation, was split into two factions; those looking for presidential appointments, and for "franchises, concessions, and privileges" following the President under the generalship of the Alaska Syndicate leaders, and those depending on the votes of the people of the territory, and favoring popular government, supporting the delegate.

While the power of the President was sufficient to and did prevent the passage of the Alaska popular government bill in the Sixty-first Congress, which was Republican in both branches, and to some extent domi-

³ *Hampton's Magazine*. April, 1910.

nated by the President, it was not sufficient to enable the President to control the congressional election in November, 1910. He mistook the temper of the people both in the United States and in Alaska, for the people of the United States, returned the Democrats to power in the House of Representatives, and the Alaskans re-elected the delegate to Congress by a largely increased vote.

Notwithstanding his defeat at the election in November, 1910, and the success of the Democrats in capturing the House in the Sixty-second Congress, the President hoped to have his way at the remaining short session of the Sixty-first Congress, and in his annual message of December 6, 1910, in answer to the repeated public charge of the delegate from Alaska and others that his Beveridge bill was an effort to exploit both the people and the resources of Alaska in the interests of the Alaska Syndicate, he repeated his former objections to a popular government for Alaska.

On the first day of the first session of the Sixty-second Congress, on April 4, 1911, the delegate from Alaska reintroduced his bill to create an elective territorial legislature in Alaska. The House of Representatives was now Democratic, while President Taft, who for two years had been mercilessly "muckraked" for his Alaska policy, stood facing and fighting Theodore Roosevelt and the rising tide of the Progressive party in the country. The bill was again referred to the House Committee on Territories, and many public hearings were held in respect to its provisions. During its consideration the President sent a special message to Congress, devoted largely to his Alaska troubles, in which he again renewed his devotion to the princi-

ple of autocratic rule in the Philippines, and again recommended that it be applied to the government of Alaska.

No attention was paid to the Alaska recommendation in the President's message by either branch of Congress. The Committee reported the delegate's bill favorably and on April 24, 1912, it was passed by the House without a dissenting vote. It then went to the Senate for consideration where it was cordially supported by Senator Smith, of Michigan, chairman of the Committee on Territories, by Senator Jones, of Washington, and generally by the members of that Committee, from which it was favorably reported and passed the Senate on May 23. It went to President Taft later for approval and was approved by him and became the organic law of Alaska on August 24. President Taft fought for three years to create an appointive legislative council; but the people of Alaska were determined to secure a constitutional basis for a sovereign American state – and won.

But, alas, the end is not yet. While the people of Alaska have an elective delegate in the House of Representatives to speak for them, and an elective legislature to pass laws for their local necessities, these representatives and powers are not constitutional representative powers, but are congressional, and therefore, subject to change by Congress by later acts passed by that body in conflict with them. And thus without repealing or even directly mentioning or amending the organic laws of Alaska territory, Congress has rendered them of much less force and value than identically the same laws possessed in the older territories. By later congressional acts, sometimes even by executive proclamations, and more often by rules and regulations

prepared and adopted, by some or all of the numerous United States bureaus engaged in public activities in Alaska and which have or are assumed to have the force and effect of the United States statutes, the organic laws of Alaska are rendered less effective and in some instances practically repealed, though not mentioned in the Acts of Congress creating the bureaus.

Happily the power of national bureaucracy in the United States finds its home in a territory, and since the District of Columbia and Alaska are the only remaining continental territories, it is here in Alaska that this autocratic enemy to free government is making its last stand for existence among a free people. Whipt and scourged from government wherever citizens of the republic may fully exert their power and influence, it raises its head only where the citizen is dwarfed by congressional enactment. It is a sad commentary upon the patriotism of our American Congress that there actually exists today a congressional government in Alaska more offensively bureaucratic in its basic principles and practices than that which existed here during the seventy years of Russian rule under the Czar. A careful study of the Russian American charter of 1844, and the bureaucratic rules and regulations for the government of Russian America under that charter, when compared with the present government in Alaska, by executive proclamations and rules and regulations of more than thirty American bureaus, will amaze an American student at the comparative simplicity and reasonableness of the Russian system. Alaska must yet break through the maze of red tape and duplication of governmental labors created by executive proclamations and orders and bureaucratic rules and regulations, before it will have real American home rule.

The people of Alaska are not of the Philippines, however, and will courageously carry on, discouraging though the contest is at times, until some bright and happy day they will emerge from the chrysalis of territorial darkness, adopt a state constitution, and attain final home rule as the sovereign state of Alaska.

While many volumes have been written on the general history of the territory of Alaska, Doctor Nichols has first presented in form the data in relation to the activities of its inhabitants in respect to the creation of a territorial form of government since the date of American occupancy. The author has had exceptional advantages in gathering correct data, in her studies of Alaska literature and newspapers in the Library of Congress, and by daily contact with Alaskans in Washington, D. C. With a keen historical sense, and a careful and wide study of the facts, and close personal contact with the various factions concerned in the final struggle in Congress, it has been possible for her to secure more exact data on the special subject than is usual in such studies; the author's conclusions are thus based on a wide range of historical facts and are thoroughly justified. It is altogether an unique historical study in relation to a manly contest for the creation of a popular government in a most distant and romantic territory, on the last great American frontier, and as such it will command attention and interest.

JAMES WICKERSHAM

Juneau, Alaska, July 21, 1923

The Military Occupation

Background of Alaska History

On October 18, 1867, at the village of Sitka, Alaska, a small group of Russian soldiery lowered the flag of the Czar and a handful of Americans in uniform raised that of the United States.¹ Russia's flag suffered a mishap and dropped upon the bayonets below, casting a superstitious gloom over the onlookers. An international salute, and brief declarations of transfer and acceptance then concluded the unceremonious acquisition of 586,400 square miles of territory — an area which was to prove as continental in the variety of its resources, as in its dimensions. It had been arranged between Secretary of State Seward and the War Department that Major-General Jefferson C. Davis should proceed to Alaska with troops and establish a military occupation until the following winter, when Congress was expected to organize a civil government.² The War Department, therefore, took charge as a timely expedient, and government by it was temporarily welcomed by the inhabitants.

¹ Bancroft classes this as a foolish tale, presumably due to the lack of incident at the transfer; the story, however is true. For descriptions of the transfer, v. "Report of Brig.-Gen. Rousseau," 40C:2S., *H. Ex. Doc. 125* (1337) pp. 2-8, and Bancroft (H. H.) *History of Alaska*, 599-600, hereafter cited as Bancroft.

² *Alaska Times*, Aug. 27, 1869; v. also "Letter of Sec. W. H. Seward to Brig.-Gen. L. H. Rousseau," Washington, Aug. 7, 1867, 47C:2S., *H. Misc. Doc. 45* (2158) pt. 4, pp. 141-142. Garrisons were established immediately after the transfer at Sitka, Wrangell, St. Paul, and Kenai — the last two were withdrawn in 1870 and the first two in 1877. Swineford (A. P.), *Alaska*, 66.

The subsequent history of this accession cannot be understood without some knowledge of Alaska's physical features and historical background.

PHYSICAL FEATURES. In the first place, the most striking characteristic of the newly acquired dependency was its remoteness. Lying on the northwest extremity of the American continent, Alaska's northernmost point was 5,000 miles from Washington and its southernmost point was no nearer than 3,500 miles to that governing center. Time and distance, consequently, were leagued to conspire against a successful administration of Alaska's affairs, and her progress would be in direct ratio to the advance of transportation and communication in her direction.

In the second place, Alaska impressed her purchasers with her size, as her superficial area is one-fifth that of the United States. The frontispiece, which shows Alaska superimposed upon the United States, demonstrates that the eastern and western extremities of the territory are as far apart as the Atlantic and Pacific, and its northern and southern extremities as Mexico and Canada. This immensity of latitudinal extent was one of the features causing Alaska's wide variations in climate; the others were the temperature of adjacent seas and distribution of mountains.³ At the time of the purchase few persons except Senator Sumner and perhaps Secretary Seward, understood just how widely varied Alaska's climate is: that she has

³ The broad expanse of the southern shore line exposed it to the warm waters of the Pacific, and although inland Alaska was separated from the warm coast by a high mountain barrier, a similar defense protected it from the cold Arctic littoral. Alaska has three climatic provinces; the Pacific Coast with excessive precipitation, cool summers and mild winters; the Inland with low precipitation, short, hot summers and long, cold winters; and the Arctic, with very low precipitation, short, cool summers and long, cold winters.

three main provinces, the maritime, the inland, and the arctic, and of these three only the last, or one-fourth of the entire territory lies out of the north temperate zone and is not habitable by civilized people in large numbers. This popular misconception of Alaska as an exclusively arctic region has immensely retarded the development of the territory.

In the third place, Alaska's water courses and mountain areas are so placed as to discourage approach to her vast interior, and make of it when once occupied a separate entity. The extensive shore line along the Pacific is skirted by a mountainous barrier which is broken by very few rivers or passes. Within the hinterland, the rivers drain into Bering Sea, carrying the trend of communication and population to the north and west, rather than to the south. These conditions have tended to make the pioneers of the interior a separate social, industrial, and political entity. Nor have geographic conditions among the Pacific Coast settlements encouraged contacts outside themselves, for those in the southeast—in the section known as the Panhandle—have been brought by their sheltered waterways into a closely connected economy and polity of their own, while those to the southwest have maintained a fragmentary life in accordance with their isolated location. Each is what it is because the conditions as to transportation make it so. Yet, instead of legislating for Alaska according to her diversified sections, Congress has jeopardized her welfare by treating her as a unified area.

HISTORICAL BACKGROUND. The authentic history of Alaska began in 1741 when the Russian officers, Bering and Chirikov, visited the region. Russian traders and trappers soon followed and their activities,

together with the search for a northwest passage, interested other nations. Spanish expeditions visited the southeastern shore in 1774 and 1775; an English explorer, Captain James Cook, surveyed the coast for the British Government in 1778. In 1784 the Russians established the first settlement, at Three Saints on Kodiak Island. Gradually the fur-trade fell under the control of a few large companies; and finally, in 1799, a monopoly of the trade and regulation of the Russian possessions in America was granted for a period of twenty years to the Russian-American Company. This grant was twice reissued. Sitka, which the company had founded a year before, was made the seat of government in 1805. In 1821 Russia attempted by ukase to exclude foreign navigators from Bering Sea and her Pacific Coast possessions. The resulting disputes with the United States and Great Britain were settled in 1824 and 1825 by treaties which recognized Russia's right to occupy the coast above $54^{\circ} 40'$. Finally, on March 30, 1867, Russia disposed of Alaska to the United States for \$7,200,000.

As acquired in 1867, this vast territory was inhabited by the following unlike elements:

Russians and Siberians	483
Creoles or halfbreeds	1,421
Native tribes	26,843
Americans (not troops)	150
Foreigners (not Russians)	200
Total population	29,097 *

* These figures are taken from Dall (W. H.), *Alaska and Its Resources*, 537. Dr. Dall's figures were corrections from Russian estimates and, "if anything, above rather than below the actual number." The first attempt at an Alaska census was made in 1880, but it was 1910 before figures were gathered that were generally accepted as an approximation to accuracy. According to the 1920 census Alaska has 26,461 Indians and Eskimos and 27,883 whites.

The civilized residents were concentrated chiefly in three places: in Sitka there were 349 whites and 419 Creoles, about half the entire number; in St. Paul Harbor on Kodiak Island there were 50 whites and 150 Creoles; and in Unalaska, on the island of that name in the Aleutian Archipelago were 25 whites and 125 Creoles. The remaining civilized population was even more widely scattered, and therefore negligible. When the United States War Department took over the occupation, troops to the number of 500 were scattered among less than a handful of forts, the chief of which were Sitka and Fort Wrangell, which is about 300 miles to the southeast. It was at these two points that the earliest American pioneers assembled in greatest numbers and attempted to coöperate for political purposes.⁵

The narrative which follows aims to describe the government of Alaska, the reactions of the pioneers to that government, the interference and dominance by economic forces, and the consequent changes in it. The period covered extends from 1867, when the United States Army took formal possession, to 1912 when the citizens of the territory were by law given permission to elect representatives to a territorial legislature.

The First Provincial Government and the First Plea for Home Rule

During the brief period when the outgoing administration was being dispossessed by the newcomers, the old Russian capital presented a scene of chaos.⁶ There-

⁵ The most detailed accounts of the history of Alaska under the Russians printed in English, are those of Dall and Bancroft, *op. cit.*, and Golder (F. A.), *Russian Expansion on the Pacific, 1641-1850*. Many magazine articles may be found on this subject, prominent among which are those in the *Washington Historical Quarterly*, by F. A. Golder and C. L. Andrews.

⁶ Bancroft, 600-603.

after, for the space of a year, times were flourishing. "All was prosperity," real estate boomers thrived, former retainers of the Russian-American Company entered the pay of the army, trade was lively, and commerce was so large that Sitka's tonnage for the twelvemonth was alleged to be greater than that of any other Pacific port except San Francisco.⁷

But unfortunately for the Sitkans, the Fortieth Congress entertained a reluctance to pay for Alaska,⁸ which effectually postponed her civil organization; and the rulings of the executive departments produced deep gloom. The Department of the Interior informed them that their claims to their townsite were illegal; and the Department of War ordered the discharge of all civilians in military pay. The Treasury Department sent up a representative in the person of a collector of customs, who had the unfortunate distinction of being Alaska's sole civil officer and of bearing a commission to treat Alaska as Indian country.⁹ The commonest wants of daily life and trade remained unmet for lack of legislative action. Dame Fortune refused to smile because it would have been illegal for her to do so: no squatter could acquire title to land;¹⁰ no creditor could collect debts; no dying could will their possessions; no lovelorn could marry; no murderer could be tried; "normalcy" was impossible. The first

⁷ *Alaska Times*, Oct. 2, 1869.

⁸ Golder (F. A.), "The Purchase of Alaska," *American Historical Review*, xxv, 411-425; Dunning (William A.), "Paying for Alaska," *Political Science Quarterly*, xxvii, 385-398.

⁹ *cf. infra* p. 47 for liquor and firearms features of the Customs Act of 1868.

¹⁰ "Claim of preëmption and settlements, are not only without the sanction of law, but are in direct violation of laws applicable to the public domain. Military force may be used to remove intruders if necessary." Letter of W. H. Seward to Gen. Grant, Oct. 28, 1867, "Morris Rept." 45C: 3S., *S. Ex. Doc. 59* (1831) p. 119.

issue of the first newspaper therefore felt impelled to say: ¹¹

We are strongly in favor of a civil government and directly opposed to military rule. Give Alaska a civil government and you may soon expect to hear of rich minerals having been fully developed by our latent industry but not before.

Under the circumstances it is not surprising that there began in 1868 a general exodus from Sitka, including many of the Russian retainers and a majority of the American pioneers. As for the former, the treaty had granted them the privilege of "reserving their natural allegiance" by a return to Russia within three years, and had promised that, "with the exception of the uncivilized native tribes, the inhabitants of the ceded territory shall be maintained and protected in the full enjoyment of their liberty, property, and religion." ¹² But faith in this promise was soon lost, and the ex-employees of the Russian-American Fur-trading Company, having lost their past employment without obtaining a new one, scattered widely. A few may have returned to Russia, but more went to California, or to other parts of Alaska to join American fur-trading parties. ¹³

As for the Americans, those whose faith and purse survived their first disappointment engaged in a project of their own for the establishment of civil and political institutions. Since Congress had ignored its re-

¹¹ *Alaska Times*, Sept. 19, 1868, at first issued in manuscript and sold at \$.25 per copy.

¹² Treaty between U. S. and H. M. The Emperor of Russia, July 6, 1867. 40C:1S., *S. Ex. Doc. 17* (1308).

¹³ Bancroft, pp. 602-603, finds "not more than a dozen Russians left at Sitka within a few weeks or months - and five years later, only a handful of American soldiers and civilians, a few of the poorer Creoles, and a few Aleuts and Kolosh." *Q.* also *Alaska Herald*, May 18, 1871.

sponsibility and refused to exercise its prerogative, the settlers assumed both in a fashion as illegal as it was true to American precedent and typical of Alaska. John H. Kinkead, one of the participants, who later became the first governor, wrote:¹⁴

A "City Provincial Government"¹⁵ was formed by and with the consent and approval of General Davis, the Military Commandant. . . . It included a Mayor, Common Council, Fire Department, etc. All local disturbances and matters affecting citizens alone were adjudicated and settled finally by the Mayor's Court: the General commanding gladly delegated this authority to the citizens.

However, the merchant whom a plurality of his fellow-townsmen had chosen as Mayor enjoyed his executive and judicial functions for but a brief time. Dearth of profits in merchandizing soon drove him to desert his mayoralty: and he delegated his honors to Kinkead, who had previously received the appointment as postmaster for twelve dollars a year and post-trader for what he could make out of it. Something less than no income whatever accrued to Kinkead with this third honor; for litigants habitually came to "Court" on steamer days, when the Postmaster and the Post-trader were both entirely too busy to be Mayor, and preferred to settle financial disputes by a personal contribution to the aggrieved party.

The "City Provincial Government" made up in courage and persistence for what it lacked in legality and income. Its chief support came from the Sitka Chamber of Commerce, an organization which tried

¹⁴ *Sitka Alaskan*, May 30, 1891; v. also Dodge (W. S.), *Fourth of July Oration*, 1868.

¹⁵ According to Bancroft, 601, "An election was held at which a hundred votes were polled for almost as many candidates."

to keep in touch with Congress by making recommendations to it regarding a seal bill and a territorial government measure. At its meeting of May 20, 1869,¹⁶ faith was expressed in Alaska's extensive and important resources, and a resolution was passed "that the government ought to extend its aid to encourage immigration,¹⁷ and we therefore recommend the Chamber to invoke Congress to establish at an early day, a territorial government over that country." This was a policy on which the *San Francisco Call* of March 19, 1869, had congratulated the Sitka Chamber; and three members of Sitka's city council were subsequently appointed to draft a memorial to Congress for "Civil Territorial Government."¹⁸

Their ideas as to the nature of "territorial government" and the brand of that article which might with advantage be applied to them were vague. Indications are that they desired the inauguration of some form of administration which would provide them with civil and criminal law, land ownership, and government appropriations for such necessities as surveys, mail service,¹⁹ and lighthouses. They were opposed to a government which united civil and military functions in one, or involved large expense.²⁰ When ex-

¹⁶ *Alaska Times*, May 21, 1869.

¹⁷ The editorial policy of the *Alaska Times* on emigration, as expressed on June 11, 1869, ran:

"They emigrate to every state,
From Maine to Nebraska,
And all who ain't provided for,
Why send them to Alaska."

¹⁸ *Alaska Times*, Aug. 20, 1869. The San Francisco attitude, as it was supposed to be, had been quoted in the *Alaska Times* of May 21.

¹⁹ During 1868-1869 Sitka had eighteen mails and parts of mails because the Post-office Department had ruled that none but steamships should carry mail. Sitka had four sailing vessels to one steamer. *V. ibid.*, Aug. 27, 1869.

²⁰ *V. Alaska Times*, Aug. 6, 1869, for criticism of the plan of S. C. Hastings of Cal., a prominent jurist.

Secretary Seward came to visit Sitka (August, 1869) the "City Council" addressed him in the hope that "such measures will be speedily taken as will tend to an increase in our population, a protection of our property, and the establishment of a civil government."²¹

Mr. Seward's reply was not much more specific, although hopeful in tone. He reminded the Sitkans that as long as Alaska had not more than 2,000 whites and as many as 25,000 Indians, a "display of military force" was needed.²² He realized, he said, the need for a "territorial civil government" and doubted not that Congress would supply it "during the coming winter. . . because our political system rejects alike anarchy and executive absolutism." He did not doubt "that the political society to be constituted here, first as a territory, and ultimately as a state or many states, will prove a worthy constituency of the Republic."²³ Mr. Seward concluded his address with the promise that it would be "a pleasant duty, wherever I may be placed,

²¹ *Alaska Times*, Aug. 6, 1869.

²² Keim (DeB. R.), *Our Alaska Wonderland*, 329, says, "In 1869 there were 500 soldiers stationed in Alaska, while it was admitted by many of the officers that 200 were sufficient, and it had already been apparent to civilians that none were really needed;" and Bancroft, 606-618, prefaced a detailed account of soldier outrages upon Indians with the enlightening assertion that "It is probable that many lives would have been saved if no U. S. soldier had ever set foot in the territory." This view may be quite correct for the time and place, but the character of the Russian precedent and the peculiar situation of Alaska, explain, though they do not excuse, the actions of the military. Unfortunately, Bancroft's chief assistant in Alaska matters, Ivan Petroff, was later discredited, as far as his reputation for truthfulness was concerned. J. H. Kinkead, first governor of Alaska, and a resident of it immediately following its acquisition, believed that Major General Halleck, then in command of the Division of the Pacific, had seen to it that Alaska was created a separate department, with five posts, in order to enhance his military reputation. *V. Sitka Alaskan*, May 30, 1891. A judge of the period rendered the opinion that, except as to the introduction of spiritous liquors, Alaska was no more under military rule than any other part of the country.

²³ Seward's Works, edited by Geo. E. Baker, vol. v, *The Diplomatic History of the War for the Union*, 568; *v. also Alaska Times*, Aug. 20, 1869.

to contribute any aid that may be in my power to the welfare, prosperity, and happiness of the people of Alaska."

Alaskans, speedily taking hope from his suggestions, in 1869 sent to Congress their first plea for home rule.²⁴ The second anniversary of the flag-raising at Sitka had occasioned a mass meeting, with speech-making by William S. Dodge, mayor and collector of customs, ably seconded by a nameless orator who voiced the general lament in a stirring peroration:—"For two long years have we suffered and Congress still refuses to hear our cry." So it was that a keen sense of their disabilities inspired the meeting to adopt resolutions of such dignity and sincerity as to merit, though they failed to obtain, serious consideration at the hands of the body to which they were sent. These early resolutions remind Congress that civil rights and self-government are in accordance with the policy of the United States toward its citizens in new territories and are "unalienable privileges of American citizens." Therefore, "the citizens of Alaska, having for two years past been deprived of any voice in the making of laws, ask from Congress the formation of a territorial government." ²⁵

Customs and Leasing Acts

This fervid plea distinctly placed the responsibility upon the shoulders of Congress, where it belonged. Yet, in all fairness, few members of Congress could have been expected to know or understand a colony

²⁴ *Alaska Times*, Oct. 23, 1869, quoted in *Juneau Dispatch*, hereafter cited as *Dispatch*, May 10, 1905.

²⁵ This simple concept of the exercise of suffrage as a means of economic betterment dominated all the pleas for home rule until gold development increased the population. By 1899 personal and political motives were assuming considerable importance.

some five thousand miles distant. In the Senate and House of Representatives there was a positive conviction that Alaska was a bad bargain, properly open to suspicion and ridicule.²⁶ In the "third house" (the lobby) there was interest in only one phase of Alaskan affairs, fur-sealing. The promoters of that valuable industry prophesied the rapid extinction of the seals unless a law were speedily passed for a monopoly lease. There was great force to the argument that the Czar had had a steady income from the lease of the seal islands to the Russian-American Company, and that this was the opportunity for the United States to reimburse itself for "Seward's Folly" to the extent of \$200,000 annually.²⁷ As a congressional issue, the 586,400 square miles of Alaska gold, coal, copper, salmon, etc., quickly assumed the guise of sixty square miles of seal rookeries. But there was some timidity particularly among representatives²⁸ in handling this business proposition. The scandal connected with the purchase²⁹ had thickened the general cloud of mis-

²⁶ Ferriss of New York proposed that the United States "pay the sum of \$7,200,000 to any respectable European, Asiatic, or African Power which will accept a cession of the territory of Alaska." When Chanler, of N. Y., suggested that it be made a penal colony, Representative Broomall of Pa., inquired: "Would not that make the territory Democratic?" The disgust of Price, of Iowa, expressed itself in the lament, "Now that we have got it and cannot give it away or lose it, I hope we will keep it under military rule and get along with as little expense as possible." *V.* 40C:3S., *Cong. Globe*, 341-343. The idea of a penal colony persisted as late as 1891.

²⁷ Proposal of Eliot, of Mass., 40C:3S., *Cong. Globe*, 343; *v.* also Golder (F. A.), "The Purchase of Alaska," *loc. cit.*

²⁸ Washburne, of Ill., spoke for the best element of the House when he said, "I am very much afraid of all this legislation in regard to the territory of Alaska."

²⁹ On March 1, 1869, it was moved and passed that the Report of the Committee on Expenditures on this purchase, received in compliance with the resolution of Wood, of N. Y., for an investigation, should not be printed, as it would cost \$3,000 and the Associated Press had already made the matter public. *V.* Dunning, *op. cit.*

trust; and every legislator came to take an attitude of self-defense at the mention of Alaska.

So it was that the first Alaska bill (excepting the purchase legislation) to survive reference to a committee, was the Customs Act of July 27, 1868.³⁰ This act extended over Alaska the United States laws regarding customs, commerce and navigation, prohibited the sale, importation, and use of firearms and distilled liquors, and provided that offenders be prosecuted in any United States District Court of California, Oregon, or the Territory of Washington. As regards the seal industry, it contented itself with giving the Secretary of the Treasury jurisdiction over the fur-bearing animals until Congress should otherwise stipulate, *provided* that special privileges of all kinds under the act should be prohibited until Congress should investigate.³¹ Within eighteen months the tendency to investigate was satisfied to the extent that the House concurred in the third leasing bill to be passed by the Senate,³² thereby providing for the establishment of a government subsidized and government profit-sharing monopoly after the Russian pattern.³³ The successful bidder for the lease became known as the Alaska Commercial Company, the head offices of which were in San Francisco.

It is outside of the purpose of this study to determine why the leasing bills of 1870 and 1890 were passed.³⁴

³⁰ 40C:2S., S. 619. President Johnson had repeatedly asked Congress to provide a civil code. It was Johnson's opinion that "the acquisition of Alaska was made with the view of extending national jurisdiction and republican principles in the American hemisphere," fourth annual message, Dec. 9, 1869, *v.* also special message of July 6, 1867, and third annual message of Dec. 3, 1867.

³¹ This amendment was insisted upon in the floor discussion of both Senate and House.

³² 41C:2S., S. 32.

³³ From 1870-1910 the United States spent more money protecting the seal monopoly than it received in lease payments.

³⁴ Agents of the group which later became the Alaska Commercial Com-

Our interest lies in their effect upon the political and governmental history of Alaska. They delayed and colored consideration of all subsequent Alaska legislation. They increased the difficulty which Congress experienced in understanding Alaska conditions well enough to pass laws applicable to them. Further, factors of geography and contemporary politics, both quite outside the seal business itself, augmented the tendency toward stupid legislation. Here at the outset, on account of one of her valuable resources, the name Alaska became notorious.³⁵

Another important point lies in the fact that the Alaska Commercial Company was too enterprising to confine itself to the business of catching seals. It took an active part in the fur-trade everywhere except in southeast Alaska. In this it encountered considerable competition from small traders; those on the coast earned the name of pirates and pests for their disreputable dealings with the natives, while those of the interior were of a decent sort. Whatever the faults of

pany had hastened to Sitka ahead of General Rousseau to buy the outfit of the Russian-American Company. The same parties are alleged to have been active in persuading Congress to pass the appropriation for the purchase of Alaska. Although freely charged, it has not been proven, that the senators who worked for the purchase had in mind at that time the interests they later held in the Alaska Commercial Company.

³⁵ The disappointed bidders formed first the "Alaska Traders Protective Association" and later the "Anti-monopoly Association" and from these virtuous heights inaugurated a persistent campaign against the Alaska Commercial Company as to its fulfillment of the terms of the lease; and against certain officials as to the granting of the lease. Agapius Honcharenko, a Russian exile, published the *Alaska Herald* at San Francisco (Mar. 1, 1868-May 9, 1872) devoted largely to this purpose. His monthly was then purchased by a representative of the company, and its policy was changed, although publication continued four years longer. In H. Rept. 623, 44C:18, pp. 141-143, Robert Desty testified that he was the chief contributor to Honcharenko's magazine and that his articles later proved to be based upon fraudulent sources of information. The report in question was thoroughly satisfactory to the Alaska Commercial Company, *v.* also Bancroft, 648-650.

the Alaska Commercial Company, and it has been charged with many, it must be credited with establishing a native school at Unalaska and with treating the Indians in general better than did the transitory trader. In fact, the natives in that part of Alaska controlled by the company were better off than those elsewhere. The most serious charges against the company have been that it discouraged individual initiative, industrial advancement, and increase of population. Absolute proof of these charges has yet to be supplied. The company was at least helpful in maintaining order and, by running vessels to Cook Inlet, the Alaska Peninsula, and the Aleutian Islands, it supplied the earliest prospectors with means of transportation.³⁶

Early Attempts to Pass a Bill for Civil Government

The customs act and the leasing bill made up the sum total of completed legislation prior to the passage of the Organic Act of 1884; but they by no means measured the amount of congressional discussion. From 1868-1884, at which later date a bill for civil government in Alaska became law, a majority of the sessions of Congress witnessed the introduction of at least one bill "to provide a temporary government" or "to establish a territorial government" for "the territory ceded by Russia."³⁷ Usually western men fathered these projects; usually the House gave them indecent burial in the committees to which they were referred; and usually the Senate did likewise, or summarily executed the bill by "objection." However, some few bills did attain the honor of discussion on the floor, and these

³⁶ Brooks (A. H.), MSS. "On the American Occupation."

³⁷ The exceptions are 40C:1S; 42C:1S; 42C:3S; 43C:1 & 2S; (these were marked by fur-seal investigations); and also 45C:1S; 46C:1 & 3S.

indicated the various shadings of congressional opinion on Alaska matters.

The first noteworthy bill was made so by the convictions of Representative Ashley of Ohio, chairman of the House Committee on Territories. He believed it the "duty" of the members of the House, "to vote for the establishment of a civil government of some kind in this territory." Therefore, as an individual, rather than as chairman of the Committee on Territories, he advocated "a temporary government for the territory of Alaska." To forestall opposition, he undertook to explain to the House that his bill had but two provisions different from regular territorial measures; but certain members of the Committee on Commerce, which was then considering bills for leasing the seal islands, interpreted Ashley's attitude as an attempt of the Committee on Territories to rush through legislation on the previous question. The ensuing discussion brought out the peculiar stumbling blocks in the way of territorial government for Alaska.³⁸

A senator had secured from the House Committee on Territories unanimous approval of a provision "that the legislative assembly of the territory shall at its first session provide by law for the preservation of the valuable furs in said territory, especially the sea otter, the seal, and the beaver."³⁹ As the only known value of Alaska lay in its seal fisheries, Representative Washburne from Illinois of the Committee on Commerce did not propose to allow a transfer of jurisdiction over them from Congress to a territorial legislature controlled by "half a dozen speculators." His knowledge of "what attempts have been made before the Commit-

³⁸ 40C:3S., *Cong. Globe*, p. 342, Jan. 13, 1869.

³⁹ Section 7 of the proposed bill, *H. R. 1681*.

tee on Commerce . . . to obtain the monopoly of those seal fisheries" induced him to say that a similar motive "was one of the controlling considerations which induced the bringing in of this bill." He could find "no earthly necessity for the establishment of territorial government . . . for fifty white people ⁴⁰. . . distant five thousand miles. It was of no avail for Ashley to argue territorial precedents or the treaty obligations toward the Russians then resident in Alaska and the Americans who might later go there. The vote of the House indicated that its members did not feel that protection of the rights of American citizens demanded civil government; military control would be the cheapest way out. "It is a dead loss to us anyway, and the more expense we incur for it the worse it is for the country and the people." ⁴¹ And so the bill and its amendments rested on the table forever.

Doubtless the particular interest of the chairmen and members of the Committees on Territories, as compared with the indifference of all other congressmen except westerners, was due to the fact that most of the Alaska petitions, resolutions, and bills were referred to that group. Regardless of their preoccupation with the vast amount of detail pertaining to the maintenance of their own constituencies, they were reminded with increasing frequency of the lack of law in Alaska, which was no one's direct constituency. Chairman Howard (Michigan) of the Senate Committee on Territories showed some persistence in the cause of civil

⁴⁰ Mr. Ashley gave the non-Indian population as "several thousands" and insisted against all comers that the bill as drawn would not permit the granting of one huge monopoly of the whole fish and fur trade. A Sitka census of 1875 gave that town 502 civilized inhabitants according to *Alaska Bulletin*, Jan. 5, 1875. An army report of 1871 set it at 391, most of them uncivilized or indecent. *San Francisco Alta Californian*, April 22, 1871.

⁴¹ Remarks of Mr. Price (Iowa) 40C:3S., *Cong. Globe*, p. 341.

government during the second and third sessions of the Forty-first Congress; but the Senate, as usual, "passed over on objection."⁴² The first civil bill⁴³ to pass either house, originated with Representative Cullom (Illinois) chairman of the Committee on Territories, and he carried it safely past the Representatives, after Starkweather (Connecticut) had amended it by a proviso that it should not impair the seal contract. In the hope that the measure might pass the Senate, Julian (Indiana) who had been working patiently since 1868 for an application of the homestead and preëmption laws to Alaska, was induced to omit such provisions from the Cullom bill. All precautions were of no avail; the Senate Committee on Territories at once reported the bill adversely and it was indefinitely postponed.⁴⁴

Whatever may be the significance of this Senate failure, *H. R. 2944* is important for our purposes. It was the first civil bill to pass the House; it deliberately annihilated space by a provision that Alaska be made a county of Washington, which was then a territory, thus recognizing at this early date Washington's peculiar interests in Alaska;⁴⁵ it tried to make the act of 1868 enforceable by transferring the place of trial for the offenses specified therein from California and Oregon to Sitka; and it granted the boon of representative government, permitting Alaska to elect three members of the Washington Territorial Legislature.⁴⁶

⁴² 41C:2 & 3S., *S.* 576, "to establish territorial government."

⁴³ 41C:3S., *Cong. Globe*, pp. 972-974, *H. R. 2944*, "to provide a temporary civil organization."

⁴⁴ *V. infra* n. 48 for membership of Alaska Commercial Company.

⁴⁵ In 1868 the legislature of Minnesota had petitioned Congress to annex Alaska and the territory between it and Minnesota to Canada. 40C:2S., *S. Misc. Doc. 68* (1319). The idea of temporarily making Alaska a county of Washington persisted as late as 1884. *V.* 48C:1S., debate on *S.* 153.

⁴⁶ President Grant was credited with the assertion that he would oppose

It should be noted that at this same session the first mention was made in Congress of conservation of Alaska's coal. Representative Julian was urging a land bill, and in the course of the debate he assured the House that the Commissioner of the General Land Office and the Secretary of the Treasury both urged his measure as a protection of the coal deposits.⁴⁷ The House passed the bill, but it perished in the Senate.

Conflicting Reports

The fate of the Cullom and Julian bills had demonstrated the impossibility of putting Alaska legislation through both Houses late in a Congress. For the next twelve years no government bill was discussed on the floor of either the House or the Senate. Opposition to the Alaska Commercial Company and suspicion as to its membership⁴⁸ were, however, responsible for numerous resolutions of inquiry, investigations, and re-
the extension of civil government over Alaska. *San Francisco Alta Californian*, Feb. 18 and 27, 1877. His messages ignored that issue.

⁴⁷ 41C:3S., *Cong. Rec.*, pp. 1154-1156, debate of Feb. 11, 1871, on *H. R.* 1657.

⁴⁸ Its president was John F. Miller, ex-collector of customs at San Francisco, who was U. S. Senator, 1881-1886. O. P. Morton, senator from Indiana, 1867-1877, was reputed to be interested because his son, John M., was for a time in the company's employ. The name of T. D. Eliot, representative from Massachusetts, 1859-1869, was also mentioned in this connection, although he never appeared of record as a stockholder. It is worthy of note that H. H. McIntyre was Special Commissioner of the U. S. Government for the Treasury Department in Alaska at the same time as he was general agent of the Company on the seal islands. H. P. Haven, a recent candidate for governor of Conn., held in conjunction with C. A. Williams, R. H. Chapell, Ebenezer Morgan, Willets and Co., and Samuel Willets, twenty-nine per cent of the company's shares. This caused the Conn. delegation in Congress to evince concern over Alaska legislation. For example, during the debate over the Act of 1884, Representative Eaton said that he had constituents owning two-fifths of the stock and that he must therefore object to giving the governor of Alaska the right to inquire into the doings of the Alaska Commercial Company, 48C:1S., *Cong. Rec.*, p. 4122. Further indications of California and Connecticut influence will be later noted.

ports, which by their conflicting character served more to becloud the issue than anything else. The Democratic majorities in the House during the Forty-fourth, Forty-fifth, and Forty-sixth Congresses may have intensified the scrutiny to which the leasing act was exposed. At any rate, detailed attention must be paid to two of these reports, because such opinion as there was, crystallized around them. The reports were submitted by Mr. Elliott and Major Morris.

Henry W. Elliott had been sent to the seal islands as a special Treasury Agent in 1872; and after a residence there covering parts of two years, he submitted a peculiar report.⁴⁹ His work concerned itself chiefly with the habits of the fur-seal, but it also ventured comments upon the value, inhabitability, and general prospects of Alaska as a whole, opinions without basis in fact. In his judgment climatic factors would always "unfit the territory for the proper support of any considerable population;" and men who came up to labor in mines, lumber, and fisheries, would leave the country "as desolate as they found it." [p. 18] "There are more acres of better land lying now as wilderness and jungle in sight on the mountain tops of the Alleghanies from the car-windows of the Pennsylvania road than can be found in all Alaska." [p. 5] This writer particularly belittled the Alaska fisheries, already acknowledged by many to be vastly superior to those of the Atlantic Coast. However, the report must be credited with advocating withdrawal of the troops, revenue service throughout the year, and extension of both land and criminal laws.

It was not long before this report began to have a

⁴⁹ 44C:1S., *H. Ex. Doc.* 83 (1687).

disastrous effect upon Alaska's immediate prospects;⁵⁰ and the unfortunate influence of its misguided author was further extended by the publication, the next year, of a book,⁵¹ and by the appearance, the year following, of a lengthy article in *Harper's Magazine*. A quotation from the latter indicates Mr. Elliott's shortsightedness:⁵²

The one hundred or so white residents mentioned are scattered, principally as traders . . . they are not making much demand for a territorial government. . . . Several "patriots," however, living on Puget Sound and in Oregon, have been urging some legislation by Congress which would result in creating a few offices up there, but they have met with deserved failure thus far. [p. 803] . . . Though we know now that Alaska will never be, in all human probability, the land for us, yet we have one great comfort in its contemplation, for we shall never be obliged to maintain costly mail routes or appoint the ubiquitous postmaster there. We shall never be asked by the people for a territorial form of government with its attendant federal expenses; and much as the coast looms upon the map, we shall never have to provide lighthouses for its vacant harbors. [pp. 815-816].

This was the sort of information on which inquirers were long fed.

⁵⁰ The Committee on Public Lands was so impressed by the Elliott report that they concluded that the only way to use profitably so "worthless" a "waste" was to sell, speedily, as much as one hundred thousand acres of timber land to a shipbuilding company with ambitions along the mineral line. 44C:2S., *H. Rept. 174* (1770) on *H. R. 4560*.

⁵¹ *Our Arctic Province*.

⁵² "Ten Years Acquaintance with Alaska," *Harper's Magazine*, lv, 801-816.

Among those interested in Alaska, these assertions aroused protest.⁵³ Authorities were not lacking who had a larger faith in Alaska's future. In a report to Secretary of the Treasury Sherman, William G. Morris, special agent 1874-1878, challenged the spirit and substance of Elliott's opinions.⁵⁴ Morris found "an undercurrent at work to belittle the purchase and decry the acquisition." [p. 3]. His experience in Alaska convinced him that conditions were changing:

Population has largely increased, mines have been discovered and opened, the fishing interests, timber, and agricultural resources have become vastly more prominent, everything denotes a speedy settlement of the country and the era has approached when a republican form of government for this territory, cannot, either with safety or propriety, be longer postponed. . . . There are now sufficient American citizens in Alaska, not counting the citizens acquired by purchase, to entitle it to a territorial form of government. [p. 132].⁵⁵

⁵³ Errors and omissions in the report, concerning the author's right to pose as an authority, the value of the fisheries, agricultural possibilities, schools, and inhabitants, caused it to be reviewed adversely; *v. N. Y. Nation*, Sept. 2, 1875; *N. Y. Post*, July 9, 1875; *Boston Advertiser*, July 15 and Aug. 18, 1875.

⁵⁴ 45C:3S., *S. Ex. Doc. 59* (1831). This report originated in Morris' concern over the rumor that Secretary Sherman proposed to abolish the Alaska customs district, a plan which Morris believed extremely bad, as the collector and his deputies were the only law of any kind in the territory. The charge of the *San Francisco Examiner* (Jan. 29, 1879) that Sherman postponed the printing of Morris' report as first sent to the Senate until it should have been altered to suit the Alaska Commercial Company seems unjustified, from a perusal of that report. Much of the attack upon the Secretary originated in the enmity of De Ahna, a disappointed applicant for the collectorship. Finally Sherman appointed a commission to report upon all information reaching the Department regarding Alaska, with the consequence that he recommended (1880) the extension of the criminal laws of Oregon to Alaska, and the appointment of justices of the peace. 46C:2S., *S. Ex. Docs. 132 and 179* (1885).

⁵⁵ To support his claims as regards the number and character of the pop-

There were other reports pro and con, of which the total effect was more cumulative than immediate.⁵⁶ Several bills and numerous resolutions for investigation and information were introduced into the Senate and House. All these were discussed in committee rather than on the floor; few came to light again outside of their committee of reference. The process of their death was an enlightening one, as far as the committee members were concerned: they were taking their first course in the study of Alaska.⁵⁷

ulation, Morris embodied in his report a petition to Congress from the inhabitants of Fort Wrangell, which signified the desire of more than one hundred and fifty residents of that place for such civil and criminal law as should make it possible for them to enjoy their position as a sort of port of entry to the Cassiar gold country of British Columbia. The petition recited that the site had a fixed population of about 800, of whom 300 were whites (pp. 123-124). W. H. Dall, an acknowledged authority of the Smithsonian Institution, had estimated the civilized population to be 1,300 in 1870. His book, *Alaska and its Resources* (published 1870) was remarkable for its appreciation of Alaska's potentialities, at that early date.

⁵⁶ General Howard was most zealous regarding Alaska. To his report to the Secretary of War in 1875 he appended a copy of *The Wrongs of Alaska* as evidence that she should be attached to Washington Territory as a county. This pamphlet was a compilation from materials from the *Alaska Herald* (v. n. 35) and called to the fray the protagonists of the Alaska Commercial Company as over against those of the Anti-monopoly Association of the Pacific Coast.

⁵⁷ Few of the committee hearings of this period have been preserved. The student is largely dependent upon current press comment for what happened in the committee rooms.

Merely "A Geographical Subdivision"

*Joint Administration of Collector Ball and Captain
Beardslee*

The question naturally arises as to who was caring for Alaska while Congress shirked. The "military occupation," established with temporary intent, continued for ten years, although it was of little effect because of the geographical conditions. The soldiers occupied a few small posts in a species of exile marked only by a continuation of the debauchery which the Russians had inaugurated. Since 1868 the Treasury Department had maintained a representative in the person of a collector of customs who was the only resident civil officer. The Nez Percé outbreak of 1877 called for additional troops in Idaho, relieved Alaska of the presence of the soldiers, and resigned the region to the collector as sole ruler. He was "supported by a small armament of two cases of rifles and two cases of ammunition, which had been shipped to the Sitka office."⁵⁸ There was in him at least the shadow of authority; no one else possessed any whatever. This condition obtained until 1879, when the Navy stepped into the breach, which it continued to fill until 1884.

⁵⁸ Keim (DeB. Randolph), *Our Alaskan Wonderland*, 329. The general public was unenlightened as to Alaska's status; for example, letters were addressed to "The U. S. Consul at Sitka" and the "Governor of Alaska Territory." Scidmore (E. R.), *Alaska*, 228.

Meanwhile, several interesting events in Alaska brought into high relief the deplorable neglect which the stepchild of the nation was suffering. Although the departure of the troops had been almost universally hailed with delight, their absence emboldened the natives in the vicinity of Sitka to threaten a serious outbreak in 1878. Authorities differ as to the degree of danger involved;⁵⁹ but it is certain that the forlorn settlers despaired of succor from the United States. The few Russians remaining considered petitioning the Czar, and the commander of a Russian war vessel accounted for his presence in Victoria harbor at this time by the claim that he was about to visit Sitka to inquire into the condition of his countrymen. Finally, the Sitkans appealed to the British, saying, "We have made application to our government for protection and aid and thus far it has taken no notice of our supplication." Captain A'Court, of the British man-of-war *Osprey*, then at Victoria, with permission from the United States government, proceeded to Sitka to protect the inhabitants until the arrival of a United States vessel.⁶⁰ Very soon thereafter the U. S. S. *Jamestown* was detailed to Alaska duty, with headquarters at Sitka; the crisis, thus safely passed, marked the introduction of naval authority into Alaska and the division of power between the customs collector, M. D. Ball, and the captain of the United States naval vessel, L. A. Beardslee. Henceforth, the navy, rather than the army, was

⁵⁹ The enemies of the collector of customs claimed he asked protection to increase the saleability of his Sitka mines.

⁶⁰ *Brady MSS.* "On Katleaa's attempt at Sitka, 1879;" Beardslee (L. A.), "Report on the Operations of the *Jamestown* in connection with the Indian Tribes," 47C:1S., *S. Ex. Doc. 71* (1889); Bancroft, 717-718; *Alta Californian*, Feb. 18, 1879; *San Francisco Bulletin*, Mar. 18, 1879; *Sitka Alaskan*, Feb. 12 and 19, 1898. The *San Francisco Herald* and the *New York Times* also concerned themselves with this affair.

to exercise responsibility. Soon there was a second experiment in provisional government.

The arrival of the United States vessel was cordially welcomed on all sides.⁶¹ Her commander was soon left alone at the helm of state by the temporary absence of Mr. Ball, and he found himself in the embarrassing position of arbitrator in all disputes, a function which it will be recalled Kinkead had found most costly. In order to relieve himself, as well as to establish a government with the form of law rather than the odor of force, Captain Beardslee called a public meeting of Sitka citizens on July 9, 1879. The election on August 1 of a chief magistrate, Collector Ball, and three councilmen — a priest, a merchant, and a salmon canner — was the result. This "Provisional Government" lived but ten weeks, because it was inaugurated too speedily and the Sitkans of that era were by nature sadly deficient in public spirit. The miners at Silver Bay had not participated in the election and they refused to be taxed. Their superintendent, fearing taxation and piqued at the failure to consult him, did not encourage his men to aid the scheme, and persuaded others that the coöperative plan would lead to the withdrawal of the Jamestown. After ten weeks, all the officers had resigned and a second meeting was held to start a new government. This time it was the merchants who stayed away, for fear of taxation and of the destruction

⁶¹ Beardslee, *op. cit.*, 28-29. The navy was better adapted to Alaska than the army because the only punishable offenses were in violation of laws regarding commerce, customs, and navigation, and Alaska had approximately 25,000 miles of coast line from which evil-doers could choose for their operations. During the greater part of the five years under consideration, there was but one slow ship in Alaska waters, a fact which emphasized the unenforceability of existing law, as laid down by the U. S. Government. The ship stationed at Sitka carried a marine guard, one-half of which was sent ashore on police duty, with the commander as police magistrate.

of their illegal traffic in hootchinoo. The significance of this attempt at civil government lies in the reasons for its failure; "the government was not one the existence or non-existence of which would attract attention."⁶²

The year following the crisis at Sitka was marked by the taking of the first census, a somewhat futile procedure in view of the simultaneous gold rush into the vicinity of what later became Juneau.⁶³ The rush brought a stream of prospectors into southeast Alaska, and they soon reopened the agitation for laws of title, debt, probate, and general property ownership. The resourcefulness of the American prospector quickly showed itself in the vigorous organization (1881) of the gold region into the Harrisburg mining district, and the era of miners' law commenced for Alaska. At this point the history of Alaska became more closely connected with that of the United States; and the affairs in Washington and in Sitka, thus far treated separately, must for a time be considered together.

During the second session of the Forty-sixth Congress the joint administration of Collector Ball and Captain Beardslee got into difficulties over the land

⁶² Beardslee, *op. cit.*, 21-24, 28. The sum available for the maintenance of law and order amounted to \$6.00 per month, which proved inadequate to provide a police force of sufficient ability and courage. *San Francisco Call*, Aug. 18, 1879.

⁶³ This census, taken by Ivan Petroff, was in many ways a remarkable estimate. However, the agent whom Petroff appointed to do the Panhandle which was the most populous white district of the territory, made little effort to secure a count at Juneau and his work was so poor that he was refused payment; *Gov. Rept.*, 1886 (2468). Petroff himself encountered a "general unwillingness on the part of men and firms engaged in business and various enterprises to respond to his inquiries;" p. 3 *Rept. on Internal Commerce*. The 1880 census gave Alaska a total population of 33,426, of whom 430 were whites and 1,756 Creoles. Two-thirds of the white population were given as Panhandle residents. The figures for the civilized population (white and Creole) may be safely considered as a minimum estimate.

question.⁶⁴ Mr. Ball had been making an unofficial record of all lands surveyed and entered by the settlers, some of which the men of the Jamestown believed should rightfully be reserved for drilling purposes. When the issue came before the cabinet at Washington, it was decided that the collector should leave the land alone. On news of this, the Sitkans assembled in public meeting and passed resolutions requesting Collector Ball to visit the capital and urge upon Congress appropriate legislation for Alaska. They also sent to Secretary Sherman a petition asking that some one direct from Alaska be allowed to represent her needs in the legislation then under consideration, and he wired Mr. Ball to make the trip.⁶⁵

Arrived in Washington, the treasury official from Alaska found himself at a serious disadvantage, because the sub-committee of the Senate Committee on Territories, appointed to consider the Butler resolution looking toward territorial government,⁶⁶ had been listening to the testimony of Mr. Elliott.⁶⁷ As chairman

⁶⁴ Beardslee, *op. cit.*, 28-32; *Washington Star*, Jan. 16, 1880; *Puget Sound Argus*, Feb. 5, 1880. Collector Ball was an ex-Confederate colonel with some Virginia influence.

⁶⁵ There were, in committee of reference, two land bills: *S. 1052* and *H. R. 3221*, and six government bills: *S. 1391*; *S. 1426*; *H. R. 4049*; *H. R. 5633*; *H. R. 5522*, and *H. R. 5708*. The Senate Committee on Territories also had had referred to it a resolution submitted by Mr. Butler (S. C.), instructing that committee to "inquire into the expediency and propriety of providing a territorial government for the territory of Alaska" and to report by bill or otherwise. 46C:2S., *Cong. Rec.*, p. 275, Jan. 12, 1880. *Washington National Republican*, Feb. 2, 1880.

⁶⁶ *Washington Star*, Jan. 16, Feb. 19, Feb. 21, 1880; *San Francisco Bulletin*, Feb. 4, 1880.

⁶⁷ During his residence at the seal islands, Mr. Elliott's private affairs reached a crisis which caused an estrangement between him and some of the government representatives, and which drew him more closely toward the officials of the Alaska Commercial Company. This friendship, added to the fact that his estimate of Alaska policy was similar to that held by the officials of the company, gave much color to the popular belief that he

of the sub-committee, Senator M. C. Butler, who had been a friend of Colonel Ball in the old Confederate days in Virginia, had expressed himself as favoring some form of government for the protection of life and property and the increase of immigration. But as the committee were unable to get before the Senate even the moderate local government bill they advocated,⁶⁸ Collector Ball must have felt that his testimony on the need for territorial government was wasted. Messrs. Elliott and Ball carried into the newspapers their controversy as to the fitness of southeast Alaska for territorial government and as to the merits of the Butler Bill. That measure did not find particular favor among those newspapers which commented upon it,⁶⁹ and the cabinet members themselves could arrive at no conclusion whereby they might fulfill the hope of President Hayes that the obligations of the treaty and the necessities of the people would be satisfied.⁷⁰

Consequently the movement of 1880 became, apparently, a failure — no Alaska bill reaching the stage of discussion on the floor of the Senate or the House during the second or third sessions of the Forty-sixth Congress.

In the meantime, Captain Beardslee had received had become one of their paid lobbyists — a thing for which actual documentary proof has not yet been found. The president of the company was said by some to favor a civil government for Sitka and Wrangell, which would have limited it to the southeast region of Alaska. The general public believed the company was opposed to all such movements, according to the press.

⁶⁸ This bill, *S. 1426*, provided that the legislative functions at the outset should be filled by the governor, surveyor-general, secretary, chief justice, and collector of customs acting together.

⁶⁹ *Washington National Republican*, Mar. 10, 12 and 13, 1880; *Washington Star*, April 2, and June 4, 1880; the *San Francisco Examiner* was particularly critical of Elliott and the *Bulletin* of the same city took the opposite view.

⁷⁰ Third and fourth annual messages of Dec. 1, 1879, and Dec. 6, 1880.

instructions from his Department to refuse the requests of the settlers that he assume jurisdiction over land questions. From his own words, we are led to conclude that he was happy to be succeeded by Captain Glass, in 1881, as he says that he was finding his duties irksome and his responsibilities great, "inasmuch as it was frequently necessary that acts should be performed by us which could not be justified by any law except the natural law by which might becomes right."⁷¹ The régime of his successor was based on the same type of natural law, according to a letter from the Secretary of the Navy to Captain Glass; for "in the absence of any legally constituted judicial tribunals" the latter was instructed to imprison offenders without trial for as long a time as in his judgment seemed necessary, although they had committed no crime "known to or created by any law in force in that Territory."⁷² That the Secretary of the Navy was correct in thus placing the blame for Alaska's ills upon Congress, did not at once appear to the settlers; but conditions in the Harrisburg mining district soon led them to act on that belief.

*First Non-Partisan Convention; Delegate Ball,
1881-1882*

In 1881 the miners about Harrisburg were not afflicted with that "general condition of apathy and lethargy peculiar to Sitka."⁷³ They were all trying to

⁷¹ Beardslee, *op. cit.*, p. 28.

⁷² Letter of the Sec. of the Navy to Commander H. Glass, U. S. N., commanding U. S. S. Jamestown, 47C:1S., *H. Rept.*, 560, Exhibit (2066). This short report of seven pages, with *S. Rept.*, 457 (2006) of the same session, comprises two of the earliest cogent discussions of Alaskan affairs as understood by members of Congress.

⁷³ Beardslee, *op. cit.*, p. 28.

secure a share in the new gold discoveries, and found themselves in competition with some individuals in the navy, who were utilizing their superior equipment to secure some of the best claims. A dispute arose between an officer and a miner involving the replotting of the town of Harrisburg, and martial law was proclaimed.⁷⁴ Feeling ran high; and, appropriately enough, the Fourth of July found a "largely attended" meeting organized and in session "for the purpose of taking some action toward the procurement of recognition and representation of this territory by the United States government in the next Congress of the United States."⁷⁵ This meeting apportioned among the five settlements in southeast Alaska a total of eighteen delegates, and elected the five allotted to Harrisburg. Over the signatures of thirty of those present, it issued a call for a "convention to be held at Harrisburg on the arrival of the mail steamer in August."

The mail steamer moved at its own convenience but arrived about August 16, 1881, and accordingly fifteen delegates, five each from Sitka, Wrangell, and Harrisburg,⁷⁶ assembled at the appointed place as Alaska's first territorial convention. With due heed for precedents they first went through the formalities of perfecting a permanent organization, and then adopted a memorial to Congress and provided for the election of a delegate to present it. The delegate was to "represent

⁷⁴ 47C:1S., *Cong. Rec.*, p. 70, Dec. 12, 1881, placed the fault with the navy; the *San Francisco Chronicle*, May 25 and 26, 1881, blamed the fracas on "some British and Montana roughs."

⁷⁵ This account of the first territorial convention is based upon 47C:1S., *H. Rept.*, 560, 2 pts. (2066) except where additionally noted.

⁷⁶ *San Francisco Bulletin*, Aug. 26, 1881. W. B. Robertson, Jr., of Harrisburg, was chosen permanent chairman, and S. Hall Young, a missionary from Wrangell was made secretary. Gov. W. A. Newell, of Washington Territory was present and applauded the action of the convention.

the Territory of Alaska or that portion of it for which we ask a government;" and the memorial devoted itself to an exposition of Alaska's deplorable lack of laws, her economic need for them, her lawful right to have them, and the value of Alaska to the United States.⁷⁷

The election of the delegate took place as planned, on September 5, creating considerable interest all over the part of Alaska concerned.⁷⁸ Collector Ball defeated Major M. P. Berry, an ex-collector, by a majority of 236 votes out of 294. Convention, campaign and election were all conducted along non-partisan lines, and reflected the spirit of the times as set forth in the memorial. The deputy collector of customs certified to the election, under his hand and the customs seal, as there were no officials in the territory authorized to administer oaths except the customs officers. Thus equipped, the delegate-elect sallied forth to the Forty-seventh Congress.

The fate of Alaska's first elected delegate was entrusted to the House Committee on Elections, when Representative H. F. Page (California) introduced⁷⁹ on December 21, 1881, the petition of Mr. Ball for admission and the memorial of the Harrisburg Convention for legislation. Spinning out arguments upon

⁷⁷ A copy of the memorial was printed in *H. Rept.*, 560, *op. cit.* It was also reproduced in the *Valdez Prospector*, Jan. 18, 1912. According to the *Sitka Alaskan* (July 17, 1886) the memorial bore the signatures of 304 "voters" in southeast Alaska.

⁷⁸ The "Plan of Election" made the usual stipulations as to the qualifications of voters and the precautions for a fair vote. As in more densely populated communities, provision was made for duplicate poll lists, secure ballot boxes, comparison of lists, and ballots on the close of the polls, certification by canvassers, and purging the ballot box "if required;" *v.* also *Alta Californian*, Sept. 23, 1881.

⁷⁹ 47C:1S., *Cong. Rec.*, p. 243. Representative Page also introduced the petition of the San Francisco Chamber of Commerce for a revenue cutter and aids to Alaska navigation, *ibid.*, p. 301.

Mr. Ball's case entangled the gentlemen of the committee in political theory. Everyone admitted "the inherent right of a people of a territory to be represented" when the legal status of the territory had been established by some act of organization passed in Congress. But it was discovered that Alaska had never been organized. The question then was: had the people of an unorganized territory any inherent rights? The majority decided that they had not and that therefore Mr. Ball had no legal status and must await an organization act to get it. However, the majority sympathized with the claims of the *de facto* delegate for expense funds and hoped the Committee on Territories would hasten the organization of Alaska.⁸⁰

On the other hand, the memorialists had anticipated these objections, and had tried to meet them by a careful statement of their position in the memorial itself. They maintained that "the failure of Congress to prescribe the manner in which we acquire possession of an admitted right should not be held to invalidate our effort to possess it, made in compliance with the spirit of the law, in good faith, and by the best means at our disposal. This would be to take advantage of a wrong in order to perpetuate it, and to deny not only a chartered privilege, but also the natural right of the people in absence of the forms of law, to establish their will by original assertion."⁸¹ The minority of the House Committee on Elections appreciated the force of these arguments, found a precedent and legal opinions to give validity to the acts of the "original convention," and submitted a resolution in favor of the seating of Mr. Ball. But as their resolution was overshadowed

⁸⁰ 47C:1S., *Cong. Rec.*, pp. 2343-2345; 47C:2S., *H. Rept.* 1988 on *H. Res.* 366 for reimbursing Mr. Ball (2160).

⁸¹ 47C:1S., *H. Rept.* 560 (2066) *v.* also *ibid.*, pt. 2.

by the contrary opinions of the majority, the admission issue never obtained a fair field on the floor of the House, and Mr. Ball suffered a loss of status as well as of income at the hands of the Forty-seventh Congress.⁸²

Even if the doors of the House were closed to him, those of the committee rooms remained open; and he endeavored to make his influence felt by giving testimony upon all occasions and by controverting the influence of Elliott and Petroff. Contrary to the expectations of many, Senator J. F. Miller of California gave him no open opposition. Mr. Miller (ex-president of the Alaska Commercial Company) was not a member of the Committee on Territories and appears not to have testified before it at this time. Furthermore, it was he who introduced the Harrisburg Memorial into the Senate, and also a resolution of the San Francisco Board of Trade favoring the extension of law,⁸³ for the ostensible purpose of securing a better field of activity for the enterprising merchants of that city. Mr. Miller was believed to be willing to support any measure which would not disturb the vested interests. His support was supposed to have been secured by an arrangement that territorial government would apply only to southeast Alaska and would take whichever of two forms he preferred, one providing a governor, judge, and delegate, the other, a governor, council, and delegate, with no other officers.⁸⁴

Two hundred and thirty-six people of southeast Alaska had voted for Mr. Ball in the belief that his

⁸² A technicality disposed of the unanimous recommendation from the elections committee that Ball be paid \$4,665. Alaska legislation was hampered by the efforts of Ball's friends to secure recognition for him, 52C:1S., *H. Misc. Doc. 340*, pt. 7 (3020).

⁸³ 47C:1S., *Cong. Rec.*, pp. 19, 53.

⁸⁴ *Portland Oregonian*, Aug. 9, 1881; *San Francisco Chronicle*, Oct. 2, 1881.

presence at the capital would further legislation for them. But on the face of things, he does not seem to have accomplished much, as no bill for Alaska relief was passed in the Forty-seventh Congress. The record of the House during the Forty-first Congress in putting through one piece of legislation was not even equalled. However, the two Committees on the Territories, particularly that of the Senate, in the hearings they conducted, in the bills they rejected, and in the substitutes they introduced, evinced a sense of responsibility which augured better for the future.⁸⁵ They, like the minority of the House Committee on Elections, had lost some of their misconceptions as to "the character of the country, and of the people now asking representation." To them, such objections as were based upon the small number of inhabitants, remoteness of territory, and the expense of giving protection, were losing weight; for they did not think it "a safe rule to measure the performance of national guarantees in affording protection of law to citizens by the *number* of people to be thus protected, but rather by the *right* of every single citizen, however remote or insignificant he may be, to that protection."⁸⁶

Considering this unprecedented access of congressional wisdom on Alaska matters, it seems rather surprising that Congress was unable to set aside precedent

⁸⁵ The Senate Committee found *S. 1153* as introduced by Grover of Oregon unacceptable, because it provided no legislative department and united executive and judicial functions in one anomalous person. The substitute proposed by them aimed at "a faithful observance of treaty stipulations" and was remarkably liberal. Its text is given in 47C:1S., *S. Rept. 457* (2006). The *Washington Post*, of Feb. 13, 1882, alleged that the seal monopoly was opposed to this bill. The House Committee on Territories divided on the delegate but was unanimous for a limited form of civil government. The bill advocated by them may be found in 47C:2S., *Cong. Rec.*, pp. 2123-2124; v. also 47C:1S., *H. Rept. 1106* (2068).

⁸⁶ *V. S. Rept. 457* (2006) p. 2.

sufficiently to satisfy a few of the legislative needs peculiar to southeast Alaska. It is not at all surprising, however, that both Senate and House considered the time unripe for a territorial legislature, although willing, in part, to accord representation through a delegate to Congress.⁸⁷ The ostensible reasons for the failure of Alaska government in the House, as given in debate over a bill presented by Representative George of Oregon, were the census of 1880, the expense, the question of the disposal of valuable lands, and the lack of time.⁸⁸ The real reason was of course the same as always, the lack of sufficient information and interest to pass legislation for a region which gave no congressman a constituency. It was remarkable that Representative George secured a support so large as to lack but two votes of suspending the rules to pass his bill.⁸⁹ Alaska was thus destined to remain for a while longer a "mere piece of property of the United States."⁹⁰

Organic Act of 1884; its Evolution

Alaska was made little more than this by "the bill to provide a civil government for Alaska" (S. 153) which became a law in 1884, and which has received slight mercy at the hands of its commentators. It has been cited as a fair example of the deplorable lack of a sense of responsibility for taking the initiative in American legislation. "There is no better instance of the

⁸⁷ Party politics or geographical habitat did not divide the committee on Alaska questions at this period. The majority of the House Committee opposed to a delegate included Democrats and Republicans from various sections.

⁸⁸ 47C:2S., *Cong. Rec.*, pp. 2123-2129, debate of Feb. 5, 1883, on H. R. 5900.

⁸⁹ *Ibid.*, 160 aye, 86 no, 45 not voting, two-thirds vote being necessary.

⁹⁰ 47C:1S., and *Cong. Rec.*, p. 2344.

sluggishness of our national legislature when no strong interest or wide-spread public sentiment stirs it to action."⁹¹ As a unique example of territorial legislation the bill is appended entire at the end of this book,⁹² but some of its features will here receive detailed attention because of their later significance.

As finally passed, *S. 153* was evolved from a composite of honest intentions, ignorance, stupidity, indifference, and quasi-expediency. The Senate debated it at some length on five consecutive days in January of 1884; and on May 13 following the House adopted the measure precisely as it came to them, after about two hours desultory discussion. The question naturally arises as to why this particular Congress passed the Organic Act for Alaska. The reason given was a sense of duty to the Russians who had remained in Alaska and to the American citizens who had gone there to make money or to convert the Indians.⁹³ But there were other and more important reasons.

The Senate debate on *S. 153* showed considerable improvement over earlier conceptions of the actual conditions and resources in Alaska. The Harrisburg Memorial and Delegate Ball's appeal for admission had helped in the general enlightenment, assisted by a reopening of the campaign against the Alaska Commercial Company⁹⁴ and more particularly by the interest of western senators and others in the new gold

⁹¹ W. M. Brown, "The Tenth Decade of the United States," *Atlantic Monthly*, June, 1905, xcv, 780.

⁹² This Organic Act, together with those of the other territories of the United States, may be found in 56C:1S., *S. Doc. 148* (3852).

⁹³ 48C:1S., debate on *S. 153*.

⁹⁴ Representative Henley (Cal.) was persistent in the introduction of resolutions for investigations. Some interpreted this activity as an early move to prevent a regranting of the lease when it should expire in 1890. Others with more imagination connected it with presidential aspirations on the part of Senator Miller, *Los Angeles Times*, Mar. 22, 1884.

mines on Douglas Island and the opposite mainland. Scientific expeditions had been sent to Alaska, and upon their return their reports were printed as documents, thus performing a valuable service in opening up Alaska to mineral development, and such governmental institutions as accompany it. President Arthur had urged the application of an inexpensive form of government and the promotion of education and industry, as he was especially interested in the subject of general territorial administration.⁹⁵ The issue of Mormonism in Utah also had induced in Congress a sort of territorial-mindedness.

Nor was Alaska entirely unrepresented, as both Colonel Ihrie and Sheldon Jackson were actively on the scene. Colonel Ihrie was a gentleman who had allowed himself to become sufficiently interested in the prospects of a northern railroad to accept the responsibility of residence in Washington on behalf of the Alaskans.⁹⁶ Sheldon Jackson was an ardent apostle of the Presbyterian Church in the mission and educational fields, who occupied a large place in Alaskan affairs at Washington for the next twenty years. His campaign for schools, which had attracted the attention of the Forty-seventh Congress⁹⁷ acquired such momentum in the Forty-eighth⁹⁸ as to carry into the civil bill a clause

⁹⁵ First, second and third annual messages, of Dec. 6, 1881, Dec. 4, 1882, and Dec. 4, 1883.

⁹⁶ *Los Angeles Times*, Nov. 24, 1883; *San Francisco Bulletin*, Mar. 14, 1884; *Washington Star*, Jan. 25, 1884.

⁹⁷ Twenty-seven petitions were introduced and Jackson's "Report on Education in Alaska" was made a *S. Ex. Doc. 30* (1986). An amendment to the appropriation bill for Alaskan education was urged. 47C:1S, *Cong. Rec.*, p. 5747.

⁹⁸ Eighty-six petitions, varying in origin from Arkansas to Wisconsin, were received, and Indian literature was deposited on senatorial desks. Wendell Philipps was one of those who introduced Jackson to members of Congress, *San Francisco Bulletin*, Feb. 6, 1884.

on education. Also, a few of his school enthusiasts expended some of their energies in petitioning for civil government; and it is undoubtedly true that the influence of the Presbyterian Church, as exerted by Doctor Jackson acted upon Congress as a powerful lever to overcome its inertia.⁹⁹ At a later period, the same influence was used to retard political development.

Obviously, by very slow stages the congressional mind was becoming accustomed to the idea of legislation for Alaska; and when the weight of cumulative demand should become really irresistible, the irreducible minimum of that demand would be acceded to and the duty thus disposed of.¹⁰⁰

The easiest kind of bill to pass through the legislative body of a democracy is one based on precedent. Certainly precedents were not lacking for the organization of territories belonging to the United States. Westward expansion had furnished a plenty of precedents. Why, then, did not Congress fashion the usual pattern of political garment for Alaska and allow her to grow into it? Congress expected this would eventually be done, but for several reasons could not justify the doing of it in 1884. There was that annoying census, already challenged by all but those who made it; there was the Alaska Commercial Company, paying into the United States Treasury every year the sum of

⁹⁹ According to Jackson's biographer the bill was passed "chiefly through Doctor Jackson's influence" and after a government was established under its terms, he assisted in "administering it," *Sheldon Jackson*, Stewart (R. L.), 345. John Eaton, for sixteen years Commissioner of the Bureau of Education and a close associate of Jackson, stresses Jackson's influence upon Senator Harrison, in "Sheldon Jackson, Alaska's Apostle and Pioneer," *Review of Reviews*, xiii, 695.

¹⁰⁰ In their desperation, the miners wrote Senator Miller and others that "any kind of a bill that will give us a judiciary and a land system, even if everything else is thrown aside" would be better than to handicap legislation with any weight that would hazard success. 47C:1S., *Cong. Rec.*, p. 4249.

\$300,000 and hoping to continue doing so; there was the mining war raging over the gold lodes on Douglas Island and the opposite mainland; there were the rumors of other possible mines likely to cause conflict; there were the American prospectors, without legal weapons with which to repel the inroads of certain covetous Britishers;¹⁰¹ there were those Aleuts (a race allied to the Esquimaux) and Indians, who were demonstrated to have peculiar tendencies toward self-support and enlightenment quite irreconcilable with accepted Indian policy; there was the Russian government supplying the funds for the maintenance of schools in the Russian faith for the subjects of the United States; there were eight mission stations, with their adjacent properties, clamoring for a solid basis of law on which to build their efforts. All of these different kinds of people and things were now known to be in Alaska. No congressman ever planned that they should be; they simply happened. Here was the Forty-eighth Congress trying to grapple with these strange, unexpected realities and rumors. What could be more certain than the confusion of an Atlantic coast or Mississippi valley member of Congress faced with this problem?

With care and trepidation the Senate Committee on Territories unanimously reported a compromise bill,¹⁰² which "provided for the extension of such laws as we thought the few inhabitants, the scattered population of the Territory, needed."¹⁰³ They thought that they had devised a simple, temporary form of government

¹⁰¹ These were individual Canadians who hoped to get themselves claims. Their government had not yet seriously questioned the boundary.

¹⁰² Harrison's *S. 153* was made to embrace parts of Miller's *S. 148* and Platt's *S. 72*, and was largely based upon Representative George's *H. R. 5900* of the previous Congress.

¹⁰³ 48C:1S., *Cong. Rec.*, p. 531.

"without meeting any constitutional stumps." But after two days of constitutional debate, Chairman Harrison of the Committee was "willing to confess upon the challenge of almost any senator here that all the provisions of the bill are inadequate. It is a mere shift; it is a mere expedient, it is a mere beginning in what we believe to be the right direction toward giving a civil government and education to Alaska. I hope more will follow but the committee in considering this matter adjudged what they believed to be the probable limit of the generosity of the Senate."¹⁰⁴

The Senate endeavored to maintain its record for "generosity," but the "constitutional stumps" interfered. The evolution of Alaska's Organic Act of 1884 followed the course outlined below.

Could the territory be organized, with the regular county sub-divisions common to populous, or soon to be populated, areas? Clearly not—for it was as large as all the states east of the Mississippi and north of the Ohio and contained only a debatable number of civilized persons, variously estimated from four hundred to fifteen hundred. Therefore, Alaska must remain an unorganized territory for a time.

What parts of territorial organization could be adapted to Alaska if she had no counties? a legislature? a delegate? a regular tax system? Certainly none of these, for there was no machinery as yet devised to put such things into effect in unorganized regions. As regards taxation, a good American principle stood in the way—"as no legislature is given to the district we made no provision for the assessment and collection of taxes."¹⁰⁵ The bill presupposed the existence of prop-

¹⁰⁴*Ibid.*, p. 597, wherein Harrison defended the bill.

¹⁰⁵ 48C:18, *Cong. Rec.*, p. 564.

erty and its need for protection, but required no contribution for the service.

Could Alaska have an executive officer? Economy would not justify Congress in omitting a governor, because of the large annual income from the fur-seals, amounting *in toto* by this time to about fifty percent of the purchase price. The executive and judicial titles could not be combined in one person, because it would appear "very obviously objectionable." If a governor were provided would there be any important duties for him to perform in an unorganized territory? There were practically none to give him, except that to which some legislators objected,¹⁰⁶ that of a vague supervision over a seal industry two thousand miles removed from his seat of office and approachable only by the courtesy of the company to be investigated.¹⁰⁷ "We have, therefore, provided for the appointment of a governor."¹⁰⁸

The judicial functions remained to be provided for, and upon them the parliamentarians spent their ingenuity. What laws should the judiciary enforce? The Oregon Code had been early applied in a minor matter.¹⁰⁹ Its provisions were more mature than those of Washington Territory, presumably, although none professed information as to their applicability, and a few feared embarrassing complications. Obviously, the easiest thing to do would be to impose the laws of Oregon, "as far as applicable" and then wait to see how they worked. Congress, not Oregon, could make such

¹⁰⁶ *Ibid.*, p. 4122. The framers of the bill did not even use the correct name of the Alaska Commercial Company—thus requiring the governor to report on a company (the Alaska Seal and Fur Co.) which had neither existence nor any agreement with the United States to be violated.

¹⁰⁷ *Ibid.*, p. 629. It was difficult to get transportation to the islands, except on a company vessel.

¹⁰⁸ 48C:1S., *S. Rept.* 3, on *S. 153* (2173).

¹⁰⁹ Customs Act of July 27, 1868, Sect. 7 (15 Stat. L., 240).

future innovations as proved necessary.¹¹⁰ This scheme was adopted. One judge, a marshal, a district attorney, a clerk, four commissioners, and four deputy marshals, were provided to apply the laws of Oregon in Alaska. Lest this machinery prove inadequate for the bringing of law and order into the inhabited portions of a region covering 586,400 square miles, measuring 2,400 miles in one dimension and 1,000 in the other, these officials were given a multiplicity of powers. The district court thus created would also comprise a circuit court,¹¹¹ and appeals in criminal cases could be taken to the circuit court of Oregon, some 1,000 miles from Alaska's capital.¹¹²

What about land? Could settlers preempt and could large tracts be granted out to equally large companies? Public favor was turning toward the "policy of keeping our entire unexpended public domain for the use of actual settlers, in tracts of moderate size."¹¹³ Land abuses were attracting severe criticism and there were propositions before the Senate to repeal preemption and timber culture acts. It was decided, therefore, to wait until the Public Lands Committee could devise something better for Alaska.¹¹⁴ However, the

¹¹⁰ 48C:1S., *Cong. Rec.*, pp. 528-529. Chairman Harrison apprehended no "trouble in the practical administration of the question," as the citizens would decide the applicability of the laws as cases under them came up for trial. He did not himself know about the Oregon Code.

¹¹¹ 48C:1S., *Cong. Rec.*, p. 530. This was no innovation in territorial arrangements.

¹¹² *Ibid.*, pp. 657-658. The Alaska court system was thus established as "a single tribunal with many of the powers of a Federal and State court, having a more extensive territorial jurisdiction than any similar court in the U. S. but without the means of serving its processes or enforcing its decrees. . . a legislative fungus without precedent or parallel in the history of American legislation." 50C:1S., "Sec. of Int. Rept., 1887," *H. Ex. Doc. 1* (2541) p. 65.

¹¹³ 48C:1S., *S. Rept. 3* (2173) p. 2.

¹¹⁴ *Cong. Rec.*, p. 529. The investigation authorized in Sect. 12 was expected to furnish information requisite for intelligent legislation.

mission stations were assured of six hundred and forty acres each ¹¹⁵ and the rights of Indians were nebulously reserved.

Mining laws? "It was not thought by the Committee that the extension of the mining laws could possibly absorb any great extent of territory in Alaska." ¹¹⁶ Representative Cassidy had had as many perhaps as fifty-eight convincing letters from men on the Pacific coast who desired to open mines if protection to property were assured ¹¹⁷ and other congressmen were correspondingly persuaded. But the legislators from western states explained that if the mining laws were to apply in Alaska there must be some machinery for their application, in even the most "skeleton government," as this was said to be. With ready facility it was therefore arranged that, as this bill declared Alaska a judicial district, it should in the same breath declare Alaska a land district, with headquarters at Sitka. This place somebody bethought himself at the last moment to name as the capital. As the four commissioners were already apportioned to as many parts of Alaska for judicial purposes, they were also made ex-officio registers; the clerk became ex-officio receiver, and the marshal, surveyor-general. In order that this mining law should not be led too far astray from the theory of the bill that all land questions should be left open until the report provided for in Section 12 (a saving grace) should be received, a further proviso was added - "Nothing in this act shall be construed to put in force in said district the general land laws of the United States." ¹¹⁸ In the same progressive and eco-

¹¹⁵ *Ibid.*, p. 628.

¹¹⁶ *Ibid.*, p. 531.

¹¹⁷ *Ibid.*, p. 4120. Prior to the Klondike craze, about a dozen and a half mining claims went to patent under this provision.

¹¹⁸ 48C:1S., *Cong. Rec.*, p. 629.

nomical spirit, it was provided that the marshals should receive a fixed salary, instead of fees; although no one could state what compensation would be a fair return for the labors of a marshal in Alaska. It was a reform advocated throughout the United States, and objections that Alaska was not the place to inaugurate it, were of no avail.¹¹⁹ In this manner were mining laws applied to Alaska. Land laws permitting homesteads were awaited for nineteen years more.¹²⁰

How about liquor in a region known to be partially occupied by Indians? Section 1955 of the Revised Statutes had given the President the power "to restrict and regulate or to prohibit the importation and use of firearms, ammunition, and distilled spirits into and within the territory of Alaska." The President had already acted to prohibit the importation of these things,¹²¹ but the Treasury Department had declined jurisdiction over stills. Inasmuch as all authorities agreed upon the debauching effects of liquor upon the Alaskan Indian, and his peculiar facility in the art of home brewing, it was thought best to extend the presidential prerogative over the manufacture and sale as well. Although Alaska had never been declared "Indian country" in the ordinary sense of the term, neither could it be regarded as an organized territory to which the constitutional restrictions as to uniformity of revenue might apply. Therefore it was considered possible for liquor purposes to treat Alaska as "Indian country," regardless of the whites there located; and the Organic Act changed the status of liquor in Alaska so as to prohibit it absolutely, "except for medicinal, mechanical, and scientific purposes," and declared that

¹¹⁹ *Ibid.*, pp. 636-637.

¹²⁰ Townsite and manufacturing applications were provided for in 1891, in a bill so framed as to benefit the commercial interests chiefly.

¹²¹ Order of Feb. 8, 1870; 44C:1S., *H. Ex. Doc. 135* (1889).

"the President shall make such regulations as are necessary to carry out the provisions of this section." The Revised Statutes and the Organic Act together put Alaskans between the devil and the deep blue sea.

Schools? Some Senators questioned if the United States government possessed the constitutional right to establish them for children "without reference to race." But if not the government, who? The Alaskans were in no way taxed, or granted the machinery for establishing schools. The white settlers were not asking for schools very vociferously, but it was supposed that their children might stand in need of education for the purposes of citizenship. The natives had been represented to Congress as crying out for education. After some debate as to the relative accountability of a Commissioner of Education and a Secretary of the Interior, in respect to natives who were not typical Indians, the latter official was given the power to establish such schools as he saw fit, provided he spent no more than \$25,000 in doing it.¹²²

Every one of the above propositions had raised the constitutional question in the minds of certain Democratic senators, who reminded Congress that it had been recently concluded that the Constitution applied to territories only when Congress expressly so stipulated. Congress could not let it "go out to those people that they have a territorial government, like other territories of the Union, an idea that may lead to very great confusion there, because they are not as well adapted to the consideration of our laws as people who have been longer accustomed to them."¹²³ This change of attitude was shown in the last amendments to the bill.

¹²² *V.* Sect. 13 of the Act.

¹²³ 48C:18., *Cong. Rec.*, p. 660.

As the bill provided neither delegate, legislature, constitutional oath, nor taxation – in short as many of the territorial mandates of title 23 Revised Statutes were violated by this bill – it could pass muster only if the Constitution did not apply.¹²⁴ The only way to settle the issue was to put Alaska in a classification by herself. Instead of denominating her as “territory hereafter to be organized” or as organized by this bill, in the manner suggested by Senator Garland early in the debate, the very word *territory* was expressly changed to district, “as the geographical subdivision is called throughout the bill a civil district.”¹²⁵ An express provision was inserted, that “there shall be no legislative assembly in said district nor shall any delegate in Congress be sent therefrom.” The Constitution and laws of the United States were not extended as provided in the customary territorial acts. Instead, “only those laws not locally inapplicable nor inconsistent with the provisions of this Act” were carried into Alaska. Similarly, the federal officials there could not with consistency be required to take an oath to support the Constitution and laws of the United States. This bill administered “the oaths required by law.” Chairman Harrison admitted this was *sui generis* legislation, but further expressed the belief that this simple and inexpensive form of government would bring every resident of the territory and every home there established “reasonable protection of life, liberty, and the pursuit of happiness.”¹²⁶ In reality, new troubles were in store for the “geographical subdivision.”

¹²⁴ Originally, the bill made no mention of U. S. laws on the ground that Sec. 1891 *Rev. Stat.* provided that the Constitution enters into organized territory and territory that shall be organized.

¹²⁵ The proposed change was not made in the last part of the bill.

¹²⁶ 48C:1S., *Cong. Rec.*, p. 594.

The Organic Act as Interpreted by the Governors

Governor Kinkead: 1884-1885

From the outset, Alaska has served political purposes in a variety of ways. In 1884, she became a political preserve for the payment of small debts owed by big politicians to little ones. In this rôle, at which her people were destined to protest with rising voice, Alaska experienced the maladministrations of various appointees. Few of these were endowed with that understanding of conditions in the district which should have been a basic qualification for their offices; many of them were seeking solace for uncomplimentary election returns; and all who could afford it acquired the habit of lightening their none too arduous duties in Alaska by prolonged visits to the city of Washington. Not until the beginning of the twentieth century were the lesser offices acknowledged to be the rightful property of Alaska henchmen; and even thereafter the juiciest plums usually fell into the mouths of the faithful who lived outside of Alaska.¹²⁷

The disposition of the patronage in 1884 fairly indicated the trend. Naturally, it was the western senators who had the "courtesy" to fill the offices created by the Organic Act. California named the judge, Ward McAllister, the most important official, through

¹²⁷ The exceptions to this classification will be noted where important.

Attorney-General Brewster in tilt with Senators Bowen of California and Dolph of Oregon.¹²⁸ Nevada named the governor, John Kinkead, through Senator Jones, a partner in the Treadwell Mining Company.¹²⁹ California named the marshal, M. C. Hillyer, and one of the commissioners, C. Seeber, through Senator Miller, ex-president of the Alaska Commercial Company.¹³⁰ President Arthur made but one personal appointment, that of a Pennsylvanian, G. P. Ihrie, as a commissioner. The only resident of Alaska to receive a place was J. G. Brady, as commissioner, through Sheldon Jackson of the Presbyterian missionary group.

Any illusions which these recipients of political favors may have entertained as to the effectiveness of that government which the Act of 1884 commissioned them to inaugurate, were speedily and rudely dispelled. The incoming government, as personified in servants of the Departments of Justice and the Interior, found its relations with the former *de facto* government of the Treasury and Navy decidedly strained, because the Organic Act gave the former all the responsibility for good order and left in the possession of the latter what instruments existed for maintaining it. For example, Judge McAllister could not persuade Commander Nichols to continue incarcerating civil and criminal offenders, such as bootleggers and murderers, in the "brig" at Navy expense.¹³¹ Marshal Hillyer

¹²⁸ *San Francisco Bulletin*, July 30, 1884.

¹²⁹ Scidmore (E. R.), "Alaska's Mining Regions," *Harpers' Weekly*, xxxvi, 1892, p. 467.

¹³⁰ These were popularly understood to be appointed as guardians of the company's interests, in spite of the fact that those interests were located to the northwest, out of reach of Alaskan officialdom as ensconced in the southeast.

¹³¹ Nichols felt that if the new government could not get buildings or subsistence of its own, it should "allow the business to revert to its former very

found himself the unhappy custodian of an insane man whom he was expected to deposit miraculously in an asylum fifteen hundred miles distant without incurring any such obligations as traveling expenses.¹³² As for Commissioner Ihrie, he was not so enamored of his new honors as to have any hesitation about promptly asking Congress to repay him for the expense incurred in reaching Sitka, which it must be admitted is no less than four thousand miles from Pennsylvania.

The disheartening effect of the office-holding in Alaska was such that the governor, the judge, and several others, were shortly found taking refuge in Washington, leaving the territory to its former device of running itself.¹³³ That these desertions were but a part of the general scheme to run the territory for the exclusive interest of the Alaska Commercial Company, was freely claimed by a number of newspapers, and was made the basis of a memorial from the Oregon legislature to Congress, asking that there be no regrant of the company's charter.¹³⁴ Such a charge, however, would be extremely difficult to prove. It was somewhat absurd anyway, in light of the fact that the new officials whom the government had sent north had no control over the parts of Alaska in which the company was operating.¹³⁵ The only officialdom of interest to

peaceful state . . . when there was no government beyond that exercised by the common sense of the senior naval officer," v. 48C:2S., *H. Ex. Docs.* 189, 227 (2303) and 249, 250 (2304); v. also Hallock (Chas.), *Our New Alaska*, 188.

¹³² During the first year none of the civil appropriations reached the hands of the ex-officio treasurer, and disbursements were therefore made by the customs collector.

¹³³ *Savannah (Ga.) News*, April 9, 1885; *San Francisco Alta Californian*, Jan. 12, 1885; *N. Y. Herald*, Feb. 4, 1885.

¹³⁴ *N. Y. Herald*, Feb. 4, 1885; *San Francisco Bulletin*, Feb. 11 and 18, 1885.

¹³⁵ Except at Unalaska.

the Alaska Commercial Company was that at Washington. Quite apart from the ramifications of the much-talked-of corporation, the Organic Act was an instrument inviting criticism by the government officials serving under it.

Four governors were sent to Alaska between the passage of the act in 1884 and the era of supplemental legislation ushered in by the Klondike in 1897. In legal status they were all alike, executives in name but not in fact. In practice they differed, according as each stretched his powers to cope with changing conditions. The first governor, J. H. Kinkead, who had enjoyed something of a career as classmate of John Sherman, treasurer of Nevada Territory and Republican governor of the state of the same name, did not think it worth while to test his powers by any lengthened stay in Alaska. His one gubernatorial accomplishment was his report, submitted in compliance with the law, on October 1, 1884, after a residence in the district of twenty-six days. Those eight and one-half pages struck the keynote for much that was to be written by subsequent governors; their author demonstrated Alaska's need for "substantial aid" and "supplemental legislation" by describing her dire plight without either. He might have added that, up to 1884, Alaska was managed far better by the Russians than by the United States. As Kinkead tersely put it: "The immense extent of country to be supervised, the varied, complex, and to some extent conflicting interests to be brought under control, necessitate substantial aid from the home government."¹³⁶ Therefore he ventured a few "remarks and suggestions."

¹³⁶ *Gov. Rept., 1884* (2287) p. 6. This administration was personally unfortunate. The governor broke his arm and had a paralytic stroke, and

Primarily, successful government of Alaska entailed the solution of her geographical problems. Here was a variegated area covering 369,539,600 acres, extending along 26,000 miles of coast, with differences in latitude of sixteen and two-thirds degrees and longitude of fifty-seven and one-third; with interior resources only beginning to be guessed at, and with a scattering population of approximately 25,000 Indians, 5,000 civilized Creoles (Russian halfbreeds) and 1,000 white men; all of whom were supposed to be ruled as a unit. If there were to be justice in administration and litigation a mail service must be established.¹³⁷ If the governor were to report on the region and supervise it, a boat must be provided to carry him along the coast. If he or anyone else were to travel in safety, lighthouses must be built and channels charted.¹³⁸ If the prospectors were to have their disputes settled according to law, commissioners must be provided nearer than one thousand miles from the seat of trouble.

In the second place, there were racial problems. If the government were to exercise any jurisdiction over the Indians, and other natives, it "must support the effort to Christianize, enlighten, and educate them." If the Creoles were "to regain the degree of advancement to which the Russian occupation had raised them," their status as civilized, Christian beings must

the district attorney became so joyful on a visit to California that he fell from a railway train and lost his life. Hallock (Chas.), *Our New Alaska*, 188-189.

¹³⁷ For example, Unalaska, on the Aleutian Islands, which was thought important enough to get a commissioner and deputy marshal, had no other communication with Sitka than by San Francisco, a journey of 6,000 miles consuming six months. Regular mail service with the Aleutians was not established until 1891.

¹³⁸ Alaska got her first lighthouses in 1902 on Frederick Sound and Lynn Canal. A beacon was established at Sitka in 1895.

be recognized. If the extensive, illicit traffic in rum was to cease working havoc with both natives and Creoles, revenue cutters must do yeoman's service along Alaska's devious waterways, and the power to grant permits for importation must rest in hands nearer than San Francisco.¹³⁹ If the gold discoveries in the British Columbia hinterland were not to cause international complications, the Alaska highways to that interior must be jointly surveyed at once by the British and American governments.¹⁴⁰

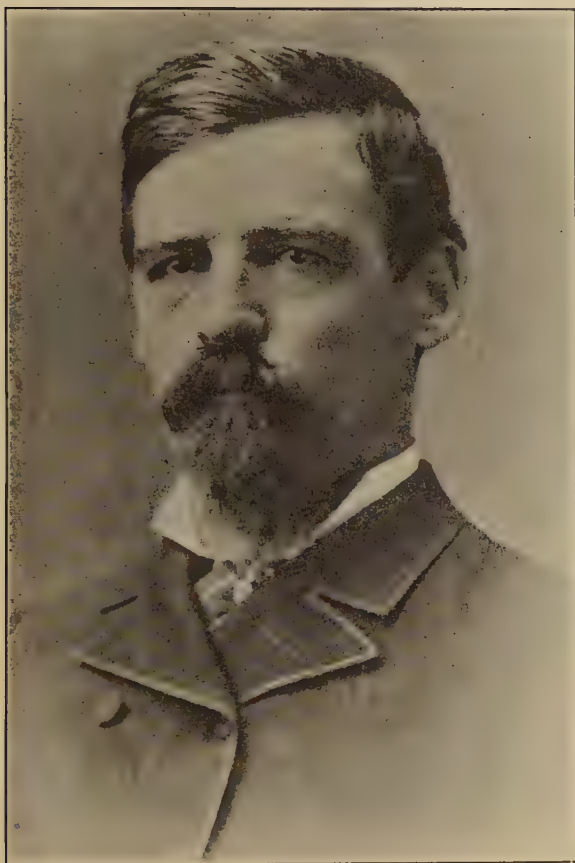
In the third place there was the problem of maintaining civilized institutions for the few white residents of Alaska, a problem complicated by the absence of both representation and taxation. Kinkead could "see no good reason why saloonkeepers, merchants, traders, and others, should not contribute their mite in the way of license or taxation to the support of a government that gives them protection and security." He thought that the Organic Act properly prohibited a legislative body, but that some form of legal authority should be authorized to collect taxes. Above all, if the Alaska government were to lose the stigma of being a farce, bestowed on it by British and Americans alike, its officials must have a code of laws to enforce and instructions from the departments at Washington as to how to enforce them.

Governor Swineford: 1885-1889

In 1885 Kinkead was succeeded by a militant Democrat who was the most interesting political character

¹³⁹ At this time the deputy internal revenue collector was equipped with one row-boat for the enforcement of law along 3,000 miles of coast.

¹⁴⁰ The first dispute between the United States and Great Britain regarding the boundary began in 1886, at which time Mr. Gordon of the Cana-



ALFRED P. SWINEFORD

in Alaska during the next twelve years. Although doubtless exceeded in political influence by the general agent for education, he stamped his impress indelibly upon the pioneers of southeast Alaska. President Cleveland made A. P. Swineford governor, because the latter was a sufficiently important editor and office-holder in Michigan to secure the indorsement of his entire state delegation for the office, which attracted Swineford and for which there was not a great deal of competition.¹⁴¹ What opposition there was to the Swineford appointment increased with the vigor of his administration, so that the end of his term left him with a generous supply of opponents in Alaska as well as Washington.

Confronted with the conditions described by Kinkead, Governor Swineford fought strenuously to explain and cope with them. To his mind the explanation lay in the persistent and organized misrepresentation of Alaska, which he charged first to the Alaska Commercial Company and later to the fishing interests.¹⁴² To cope with the deterrent conditions it would

dian Parliament repeatedly drew attention to it. In that year the British government was "prepared to take part in a preliminary investigation" for which the United States failed to make an appropriation. 49C:RS, *S. Ex. Doc. 142* (2340) and *Washington Star*, Oct. 2, 1886.

¹⁴¹ Current comment on the reasons for this appointment may be found in *San Francisco Bulletin*, Nov. 2, 1887; Cleveland (Cynthia E.), *See Saw*. It was described in retrospect in *Juneau Dispatch*, Dec. 14, 1904. Other aspects of the patronage fight were given in *San Francisco Argonaut*, Feb. 13, 1886; *N. Y. World*, Mar. 1, 1886; and *San Francisco Chronicle*, July 6, 1887. For seventeen years Swineford was editor of the *Marquette Mining Journal*; he was also connected with the *Detroit Free Press*, for which he wrote a series of articles on Alaska. He had considerable experience as an employe of the federal government in land opening cases, notably some rising out of the trouble with the Cherokees.

¹⁴² Swineford's attacks upon these interests in his reports led to strong counter attacks upon him by much of the San Francisco press, and an investigation by the H. Com. on Merchant Marine and Fisheries. The committee

be necessary to establish self-government, which would mean a delegate in Washington and a legislature in Alaska. The framework of government and organization behind that legislature would be as simple as the pioneer conditions of the territory demanded. As governor, Swineford filled his reports with his strongest arguments for territorial government. As subsequent editor of various Alaska papers he carried on his campaign to his death, which occurred in 1909. He cited the treaty pledge, territorial precedents, the special fitness of Alaska's pioneers and their increase in numbers,¹⁴³ Alaska commerce, federal economy, the Statutes at Large,¹⁴⁴ and the remoteness of the territory from Washington, all to show that territorial government was the only legal, justifiable, and appropriate form of government for Alaska. Sometimes he suggested a temporary compromise, such as detailing the governor or some other official for attendance upon Congress, or creating a legislative council in place of a legislature;¹⁴⁵ but generally he advocated "full" territorial government. Swineford was convinced that it was withheld only because of "deep-seated and unjust prejudice" against which he struggled perpetually and ineffectually.

Some well-informed persons believed that Swineford underestimated the physical and economic difficul-

issued a report exonerating the company; v. 50C:2S., *H. Rept.* 3883 (2674) and *S. Ex. Doc.* 74 (2611). Chas. Hallock is alleged to have written *Our New Alaska* to vindicate Swineford.

¹⁴³ In his report for 1886 Swineford estimated the civilized population at 8,372 and conclusively demonstrated the inconsistencies of the tenth census which set the figure at 4,331. Its takers described it as something in the nature of a reconnaissance, being "a partial enumeration supplemented by close and careful estimates for the remainder."

¹⁴⁴ Sect. 1862, giving every territory the right to send a delegate.

¹⁴⁵ Cf. 47C:1S., *S. Rept.* 457 (2006).

ties which must be overcome before self-government could thrive in Alaska. In answer to them he argued that territorial government was not only politically right but economically expedient, because it would conquer the obstacles automatically, by bringing increased population, intercommunication, and development of resources. All these things were conspicuous by their absence under the Alaska régime as he knew it, where the executive was a farce,¹⁴⁶ land titles were practically unknown,¹⁴⁷ and mail facilities totally inadequate.¹⁴⁸ He wished Congress to build an arch of Alaska prosperity, of which the keystone should be territorial government, upheld on the one hand by land title, and on the other by intercommunication.

Swineford foresaw the decline of furs as Alaska producers of wealth, and the subsequent rise of gold, minerals, and lumber. But he prophesied that the outflowing profits would accrue neither to the national government nor to the territory unless transportation and land titles opened these industries to persons of moderate means in addition to those of immense wealth. Already the fisheries were closed to the poor man; only the rich could afford to exploit them, and they used seasonal laborers whom they brought from the states, took back to the states, and paid in the states, from the profits of an industry wholly untroubled by taxation in Alaska or other enforced contribution to

¹⁴⁶ The governor's powers were practically limited to the appointment of notaries whose jurisdiction he could not delimit; nor could he hold by court processes the offenders against the law which he was supposed to enforce if he could find out what it was.

¹⁴⁷ The only fee simple titles were held to twenty small lots in Sitka and one in St. Paul, title to which vested before 1867. *Gov. Rept., 1887* (2541).

¹⁴⁸ There were no roads or government trails. Swineford urged that communication be established by regular subsidized mail steamers. *Gov. Rept., 1885* (2379).

her welfare.¹⁴⁹ Even mining must fail to bring a permanent population as long as the timber could not be utilized, the coal mined, or the land legally acquired.

Mining of coal was a particularly sore point with Swineford. He predicted that coal mining was "destined to become one of the most important of Alaska's great industries," but his experience in the Cook Inlet region¹⁵⁰ convinced him that the Alaska Commercial Company was purposely pessimistic on the proposition, and increased his antipathy for the seal people. Furthermore, he believed¹⁵¹ that the company had reduced the Creoles and natives of the interior to a species of serfdom, by paying them too little for their furs and charging too much for food and clothing. He declared that the attitude of the company toward prospectors and any influx of population which might follow them was inimical. In short, the seal lease under which they operated, said he, was inherently bad and should never have been granted.¹⁵²

In addition to his activity concerning these political and industrial features of Alaska life, Swineford bestirred himself on behalf of the natives. He advocated a hospital for them and the further development of

¹⁴⁹ The first cannery was established in 1879. In 1888 there were seventeen salmon canneries and as many fish salteries. *Gov. Rept., 1888* (2638).

¹⁵⁰ His estimate was based upon a visit to the locality in 1888, in company with Chief Engineer John Lowe, U. S. N. After his visit, the Alaska Commercial Company and the Southern Pacific both investigated the coal. *Sitka Alaskan*, Feb. 16, 1901.

¹⁵¹ Swineford's personal knowledge of the territory was then limited almost entirely to those parts in which the company did not operate.

¹⁵² It is not the object of this book to prove these charges one way or the other. They were detailed in the reports for 1887 and 1888 and led to no practical result unless the assignment of the lease may be so termed, in that it went to an affiliated company, rather than the old one, in 1890. Elliott was joined in his counter-defense of the company by George P. Tingle, special treasury agent at the seal islands and later general manager of an auxiliary concern called the North American Commercial Company. Ac-

the institution known as the native police.¹⁵³ He reminded the Department that displacement of the naval by the civil authority had left more than two-thirds of Alaska's area out of the reach of government officials, and that consequently he should not be held responsible for the conduct of natives at inaccessible settlements. For the good order of all natives, as well as that of the whites, Swineford consistently urged the substitution of a rigid license law for the dead letter of prohibition then on the statute books.¹⁵⁴ But in spite of the protestations of Alaska's second governor against these grotesque features of Alaskan administration, they, and many others, long continued unchanged.

Governor Knapp: 1889-1893

Taken together, the one report from Kinkead and the four from Swineford mentioned most of the serious obstacles to progress prior to 1897. Governor Lyman E. Knapp (1889-1893) and Governor James Sheakley (1893-1897) were scarcely in a position to do more than amplify such recommendations of their predecessors as appealed to them. An analysis of their reports shows that although they followed Swineford in point of fact as to the nature of their offices and attendant disabilities, they did not altogether follow him in point of theory. Knapp said he expressed the

cording to the *Sitka Alaskan* of Aug. 8, Oct. 10, 1891, and Jan. 9, 1892, the policy of this interest changed when it entered the canning field, from one of opposition to encouragement of immigration, on account of the seasonal labor needs of salmon canning. Formerly, it was alleged, the company had turned so cold a shoulder to would-be Icelandic immigrants that they had gone to settle in Canada instead of Alaska.

¹⁵³ In the vicinity of Sitka, the pride of the native chieftains in a blue uniform was successfully and economically capitalized for police purposes.

¹⁵⁴ The governor's convivial tendencies gave his enemies an easy ground for attack on this point.

belief of "all thinking people" when he advocated "some sort of representation" in Congress; but he felt that existing conditions would not warrant him in advocating territorial government, because "an election would be a farce of the most ludicrous character." He favored the plan of giving the governor the "duties and privileges" of a delegate.¹⁵⁵ His reports mention the petition of certain eminently respectable Juneau citizens for a southeast Alaska election call, and his rejection of the project as illegal and inexpedient, inasmuch as Congress had not yet specified the qualifications for citizenship and suffrage. Knapp saw more immediate need for elections in the municipalities than in the territory at large,¹⁵⁶ and suggested congressional legislation to this end.

For the enlightenment and guidance of Congress he politely recommended a code commission:

If no general revision of the political conditions of the territory [is] thought advisable, I would advise the preparation of a few laws adapted to our peculiar conditions. To save time a commission consisting, in part at least, of gentlemen acquainted with the country and its needs might be selected to prepare a short code of special laws.¹⁵⁷

This commission was not appointed, and a code was not formulated until 1898-1900.

As time passed without relief, Knapp urged for Alaska the adoption of the District of Columbia pat-

¹⁵⁵ Prior to 1912, almost every session of Congress found the governor present as a lobbyist. From 1906-1912 his presence together with that of the regularly elected delegate, often brought sharp differences into the legislative discussion.

¹⁵⁶ In the interior, prospectors had already established eight successful mining districts, in accordance with Sec. 2324, *Rev. Stat.*, which the Act of 1884 had made applicable to them.

¹⁵⁷ *Gov. Rept., 1890* (2842).

tern of special congressional committees and a local commission for the regulation of affairs – presumably to define permissible violations of Alaska law. An interesting change had taken place in his attitude toward Congress. In his first report, after a four months' residence, he indignantly rejected the notion that "there is any lack of intelligent interest in this outlying province on the part of Congress." In his third, after a two years' stay, he declared that "never a word or syllable, not even of inquiry into the necessity for legislation, has been heard in the halls of the national legislature." Although Knapp's statement on this point was incorrect, he had become convinced that "in the apparent estimation of the legislative mind the lives and property rights of human beings are held of importance in the inverse ratio of the square of the distance" and he was then willing to enumerate all the popular suggestions for a remedy, including those of which he scarcely approved. His own faith rested in a code, but his report for 1891 also mentioned full territorial government, amendment of the Organic Act, and a temporary local governing commission having the power to make minor regulations with the force of law.

Governor Sheakley: 1893-1897

The appointment of James Sheakley temporarily put a stop to the gubernatorial complaints. The reasons for this gentleman's equipoise are not clear, especially in the light of the fact that he had been an official in Alaska for five years,¹⁵⁸ and might therefore

¹⁵⁸ Mr. Sheakley, once a "forty-niner," had later qualified as a deserving Democrat, in which capacity he represented a Pennsylvania district during the 44th Congress, held a commissionership at Wrangell, Alaska, 1887-1892, and engaged actively in the Pennsylvania campaign of that year. Captain Carroll also was a candidate, backed by his employers, the Pacific Coast

be supposed to have grown to share in the local feeling. Each of his very brief reports is marked by a tendency toward optimism foreign to his predecessors. For example, where they had been inclined to point out vigorously the faults of the educational system, Sheakley, whose appointment was partly due to Jackson, opined that "every dollar that has been appropriated by Congress for education of children in Alaska has been carefully and judiciously disbursed."¹⁵⁹ Even after he admitted that the white population had increased to nine thousand in 1896, he was still so well pleased with its exemplary character¹⁶⁰ and general resourcefulness that he made his suggestions regarding administration of affairs rather perfunctory. He did, however, appreciate the anomalous situation sufficiently to advocate municipal incorporations, and a code commission. He grew certain that only a commission could formulate amendments to the Act of 1884, because several bills of such character had been introduced in Congress that "had they become laws, our last condition would have been worse than our first."¹⁶¹ He also showed insight in his comments upon his own futile and disconcerting attempts to enforce prohibition. He declared that Alaska's ineffectual prohibi-

S. S. Co., which was controlled by Sen. G. C. Perkins, and represented by the California delegation. Jackson prevented the reappointment of Swineford, who had considerable support at Sitka and Juneau and who received instead a place as inspector at the Washington (D. C.) land office. This he soon renounced to return to Alaska. Many Alaskans thought the Sheakley appointment broke the precedent of "carpetbag" rule. *V. Sitka Alaskan*, Dec. 10, 17, 24, 31, of 1892, and June 24, 1893; *Ashland (Wis.) News*, Nov. 27, 1892; *Seattle Post-Intelligencer* (hereafter cited as *Seattle P.-I.*) Jan. 6 and June 12, 1893.

¹⁵⁹ He took such interest in the Training School at Sitka as to provide a scholarship there. *Sitka North Star*, May, 1895.

¹⁶⁰ Others held an opposite opinion, particularly regarding the newcomers.

¹⁶¹ *Gov. Rept., 1893* (3211).

tion begat in a large class of citizens a disregard for law and an unwillingness to aid the civil authorities; "being against the government in this matter they are almost unknowingly against it in others; and a desire to get even often outweighs all other considerations."¹⁶²

Nor was Sheakley alone in his discomfort. Like the governors, most other officials found their legal position untenable at the outset and increasingly preposterous with each year of service and every attempt to meet the situation. The longer an incumbent remained the harder became his lot. The officials were no less human than the frontiersmen with whom they dealt, and they shared with them that urge for immediacy which accelerates the course of events in a new country. Thanks to the section of the Organic Act which applied the United States mining laws, they were faced with the problem of administering laws for a population which was slowly increasing in numbers and in desire to penetrate the interior. As the prospectors found a given locality unproductive, they wandered about, ever hopeful, to new ones, establishing a migratory residence over an immense area.¹⁶³ It was in the attempt to meet the demands of these mushroom communities common to a mining frontier that executive ingenuity led far beyond the confines of the Organic Act. The following are some of the most important of the illegal policies which circumstances forced the governors to adopt.

Of the Alaska communities, towns, and villages, which had by Sheakley's time multiplied to about three

¹⁶² *Gov. Rept.*, 1896 (3490).

¹⁶³ A large element of Alaska's white population was coming to consist of these prospectors, who lived in the territory a long time without settling in a permanent community. Their extensive travel made them as widely acquainted with each other as with the territory.

hundred, some were as far as three thousand miles from the nearest commissioner, that is, the individual who acted as probate judge, constable, justice of the peace, and notary public. The governors therefore assumed the right to appoint deputy commissioners who should administer oaths, take testimony, punish breaches of the peace, and hold criminals for trial. These deputies performed their numerous functions only so long as they were willing to serve without pay, except for gratuities, and only so far as the people in their districts cared to respect their assumed authority.¹⁶⁴ Warrants for the arrest of serious offenders were often, for lack of transportation, left unserved, and as the governors lacked the power to pardon they granted reprieves instead.¹⁶⁵ These same communities, as well as the itinerant prospectors, stood in great need of wood for their immediate use. The law strictly interpreted forbade the cutting of so much as a walking stick, or the gathering of enough wood to boil coffee. But the Commissioner of Public Lands decided that, so far as timber laws were concerned, the inalienability of the public lands should not prevent the use of wood for domestic purposes. So sawmills were allowed in Alaska, some of them operated by government officials,¹⁶⁶ and only exported lumber was seized.

The greatest number and variety of law violations had to do with the importation, manufacture, and sale of liquor, in which the officials and the general public persistently engaged, to such an extent as to influence

¹⁶⁴ The seaboard commissioners exerted more authority than those of the interior, where the "miners' meeting" adjusted things equitably.

¹⁶⁵ *V.* Appendix, Organic Act, Sec. 2.

¹⁶⁶ U. S. Commissioner Brady conducted a sawmill at Sitka undisturbed by the government until 1891, when a \$500 suit against him resulted in a verdict of \$1.00 damages.

sentiment on every public issue. The industry had comparatively smooth sailing when the governor and collector of the port were able to agree as to the relative enforceability of the Organic Act and the Executive Orders. At all other times there was friction of an irritating sort.

The Organic Act as Interpreted by the Pioneers

Causes of Friction

Public feeling in Alaska, during the period between the passage of the Act of 1884 and the Klondike rush of 1897, was articulate in the southeastern section only. There, an infant press, cradled in Sitka and Juneau, shouted lustily of those events which interested the settlers of the region. By a study of such Alaska newspapers as survive, by comparing these with the scattering comment of the press in the states and the reminiscences of local leaders, one can picture the earlier part of the "district" period. One learns what institutions were affected by Alaska's political situation, and their effect, in turn, upon it. This study of the popular mind shows an increase in the number and frequency of the points of contact between Alaska and Washington, D. C., which gradually lessened Alaskan isolation. Those clauses of the Act of 1884 which most intimately affected the daily life of the Alaska populace had to do with the interrelated activities of education, the liquor traffic, and the administration of justice. From these factors a complex was built up which determined the attitude of each individual toward the administration under which he was living.

I. Education and Race Prejudice

Prior to 1884, eleven religious groups of the United States had set up mission stations,¹⁶⁷ with schools supported by private contributions;¹⁶⁸ seventeen schools had been maintained by the Russian government on annual appropriations of \$40,000 for the support of the Graeco-Russian Church in Alaska and of \$20,000 for schools and other extraordinary expenses; and two schools had been conducted by the Alaska Commercial Company, in compliance with the terms of the lease of the seal islands. All of these institutions purposed to reach the offspring of the Indians, Creoles, Russians, and Aleuts, but none the whites of American birth. Periodically, private initiative had supplied education for white children in Sitka, Wrangell, and Juneau;¹⁶⁹ but the government had ignored its duty in this respect until 1884, when an appropriation of \$25,000 for education in Alaska went unused for lack of ideas as to how best to apportion it. In 1885, \$25,000 was allotted for the education of children "without reference to race" and \$15,000 for the support and education of Indian children in industrial schools.

It may have been expected that these amounts would meet the demand for white schools; but existing condi-

¹⁶⁷ Interesting sidelights upon relations between the missions and the government, as also the missions and the whites, are given by Archdeacon H. B. Stuck in his account of his own experiences, *One Thousand Miles with a Dogsled*, 354 ff.

¹⁶⁸ Of these, that at Sitka received considerable moral and practical support from a governmental source, because of the sympathetic interest of Captains Beardslee and Glass, and Lieutenant Emmons of the U. S. Navy.

¹⁶⁹ The Sitka municipal government of 1869 had started a white school; others had been begun at the same place with enlisted army men as teachers (1875); and still another was started under mission patronage in 1878-1879. The Russian appropriation for Alaskan education reached the high point of \$45,000 in 1888. *Gov. Rept., 1887* (2541); *Sitka North Star*, May, 1889; *Sitka Alaska Bulletin*, Feb. 5, and Mar. 5, 1875.

tions made such a result impossible. Secretary of the Interior Lamar and Commissioner of Education Eaton decided to appoint a "General Agent for Education in Alaska," as a local executive. They chose Sheldon Jackson, who, as a missionary agent for the Presbyterian denomination, had identified himself with that region by his letters to the department and by inspired press comment upon his activities. Doctor Jackson's enthusiasm and initiative made it possible for him to retain a position under the Presbyterian Board of Home Missions while in the employ of the United States. At the same time he maintained a wide circle of influential friends, which increased his weight with Congress.¹⁷⁰ Prior to the consecration of P. T. Rowe as Bishop of Alaska for the Protestant Episcopal Church in America (1896), Sheldon Jackson was for all practical purposes the sole recognized guardian of education, of the Protestant faith, and of the uplift of the natives in Alaska.

Inevitably, this appointment of a Presbyterian missionary to the position of general agent for education roused fear in the whites lest their children be slighted for those of the Indian, and in the Russian Catholics lest education be presbyterianized. The unfortunate effect of the selection was illustrated as early as June, 1886, when personal antipathy between the general agent and other officials, including the governor who was his sworn enemy, caused the indictment and arrest of Doctor Jackson. Because the irregular and frivolous character of the charges caused them to be promptly dismissed, the incident was exploited by the religious and secular press of the states, so that it enhanced the

¹⁷⁰ The *N. Y. World* of Mar. 1, 1886, alleged that he had asserted he could secure the votes of eighteen senators for any measure he might advocate.

power and prestige of the mission party at the same time as it cast upon the Arthur appointees a reflection which hastened their dismissal at the hands of President Cleveland.¹⁷¹ The Sitkans positively asserted that a policy of aggressive dictatorship on the part of the general agent had placed them in a false position of antagonism to an institution for which they desired success and to an official with whom they wished to coöperate. The situation remained unimproved, evidently, for when a group of prominent politicians, educators, and other notables visited Sitka and the rest of southeast Alaska the next summer, they received an unfavorable impression of the work of the general agent.¹⁷² They made personal contributions to Alaska schools and returned to the east pledged to work for a secular board of education.

Meanwhile, Congress had acquired the habit of increasing the appropriations for native schools and decreasing, relatively, those for the whites, as embraced under the term "children without reference to race." Secretary Lamar had been formulating a plan for local supervision and when he heard the verdict of the senators and educators, he sent Commissioner of Education, N. H. R. Dawson, to spend August and Septem-

¹⁷¹ Doctor Jackson considered the incident of sufficient importance to require the publication of a pamphlet vindicating himself: *Difficulties at Sitka in 1885*. The National Education Association took it up in their 25th annual *Proceedings*, July 14-17, 1885. Various shades of religious and secular opinion upon it may be found: *Gov. Rept.*, 1885 (2379); *Washington National Republican*, Oct. 12, 1885; *Interior*, Oct. 15 and 29, 1885; *Journal of Education*, Oct. 8, 1885.

¹⁷² *San Francisco Chronicle*, Aug. 18, 1887; *Sitka North Star*, Dec., 1887. Prominent political members of this party were Senator Cameron (Pa.), Senator Vest (Mo.), Representative Reed (Me.), and Governor Stoneman (Cal.). The members of the group especially interested in education were: President Gilman (Johns Hopkins), Dr. N. M. Butler (Columbia), Dr. Louis Dyer (Harvard), and Dr. A. V. Young (Northwestern). The press was represented by Whitelaw Reid of the *N. Y. Tribune*.

ber in inspection. A board composed of the governor, the judge, and the general agent was created for local supervision of the schools and for the auditing of their accounts. Although the various members of the board suffered from incompatibility to such an extent as to hinder the progress of education along the government route, the governor reported that about a dozen schools (ten of which were in southeast Alaska) were operated with a fair measure of success.¹⁷³

In 1890 the management of the public schools in Alaska was transferred to Washington, the general agent was given a desk in the offices of the Bureau of Education (where he remained except for his Arctic cruises) and an assistant general agent was selected from the clerks there to receive such communications as might venture upon the five thousand mile journey. But the difficulty increased with the schools and the population, because no request for authority with which to meet an emergency could reach the Bureau and come back again in less than one month and in many cases it took six. Experiments were tried with local advisory committees (1891) and a local superintendent (1892) neither of which had any authority to do what they were needed to do. To cap the climax, in 1893, constitutional objections and sectarian rivalry put a stop to the much-abused government subsidy of mission schools. This, Congress took as the cue for decreasing the educational appropriations for children "without reference to race," and a few schools had to

¹⁷³ Father Duncan of Metlahkatla and Commissioner Sheakley of Wrangell served in an advisory capacity to this board. The biggest thing it tried to do was to eradicate Creole prejudice against government schools. The Creoles, being tenacious Greek-Catholics, resented Protestant religious opening exercises; the board passed a resolution prohibiting all religious opening exercises in the public schools where the parents of the children were not of the same denomination. *Gov. Rept., 1888* (2638).

close. Even then, the governors reported that, considering the sad neglect of the government, the teachers were doing commendable work. The whites persisted in their demands for separate schools, and education was maintained in the Panhandle with remarkable persistence.¹⁷⁴

II. *Prohibition*

The school question, here treated so briefly, is in itself a large study. For our purpose, its importance lies not only in its contribution to the general feeling of dissatisfaction, but also in its intimate connection with the liquor issue. We have already noted the liquor problem in relation to the natives—their taste for a home-brewed concoction which all whites spoke of as “that vile stuff, hootchinoo,”¹⁷⁵ away from which Congress and the Treasury Department attempted in vain to educate them. The whites were incensed at the classification of all inhabitants of Alaska with Indians as regards the use of liquor. They declined to act as if the prohibition laws and regulations were intended to apply to themselves, and their grand and petit juries refused to indict and convict whites charged with selling to whites. On the other hand, sale to Indians was treated as a serious offense, and there arose a class of Indians who informed against the whites and

¹⁷⁴ *Gov. Rept., 1894* (3307). Congressional appropriations, 1884-1900, varied from \$15,000 to \$50,000 annually, with an average of \$29,000, 58C:2S., H. Com. on Terr., *Hearings*, Mar. 10, 1904—Statement of Doctor Jackson.

¹⁷⁵ The term “hootchinoo” meant “bear’s nest” and referred to the sort of place in which the stuff was made. It was soon shortened to “hootch” and was used commonly for thirty years before the term drifted into the states with the advent of local option. The origin of the word is also accounted for by the fact that an Indian tribe on Admiralty Island by the name of Hootchinoo used to smuggle home-brew to Sitka soldiers, and the stuff took its name from its manufacturers. The repeated use of the term in this study is due to its special Alaska significance.

carried the charges to such an extreme as to make difficult a liquor conviction of any kind. Conditions became so bad that when a missionary lost his life attempting to prevent the landing of liquor, the court found him to have been guilty of piracy in boarding a ship without authority, and dismissed those responsible for his death, with fines for giving liquor to an Indian.¹⁷⁶ This incident, taken in conjunction with an outbreak among the Chilkats, shows how acute the liquor problem had become.

The attitude of the whites was encouraged by the evident confusion of the Departments as to their rulings. The acts of 1868 and 1884 could not both be complied with at the same time, and the effort to clear the muddle by departmental and executive orders, practically left the officials of the territory to solve it as it seemed expedient. Their popularity was likely to be in a direct ratio with the keenness of their sense of expediency. Some customs collectors issued permits for importation, and some governors licenses for manufacture and sale, on the authority of the executive orders of May 4, 1887, and March 12, 1892, although they well knew that the liquor would be used for purposes other than the "medicinal, mechanical, and scientific" ends prescribed by the Organic Act; on the sale of these importations, saloons flourished. Some collectors issued special revenue stamps at twenty-five dollars and gave for them receipts, which were considered as licenses by the juries trying the cases of the manufacturers who had bought the stamps; on this understanding, breweries flourished. These "legal" saloonmen in an attempt to effect a united front for the protection of

¹⁷⁶ *Gov. Rept.*, 1892 (3089); *Sitka Alaskan*, Mar. 19 and July 25, 1892; *Juneau Mining Record*, July 14, 1892.

their industry from the smugglers, arranged to levy licenses upon themselves for two hundred and fifty dollars each, the cash to be spent for street improvements; but their plan fell through because of its extremely uncertain legal status.¹⁷⁷ One customs collector after another had his troubles. Two of them, when asked how to make a prohibition measure effective in Alaska, replied: "If a sufficient military and revenue force were sent into the District to provide a body guard for every person permanently or temporarily therein, and the guard himself did not violate the law, such a law might, in a manner, be enforced."¹⁷⁸ In short, prohibition Alaska, with more than fifty saloons and four breweries, outdid herself as a ludicrous anomaly.

III. *Administration of Justice*

These education-liquor complexes had aspects both sad and amusing. But they were particularly significant as political factors, because they helped to create an alignment of Alaskans, on all important questions, into radical and conservative groups. In general, the prospectors and young pioneers tended to line up against a combination of the missionaries, the government officials, and the large mine-owners.

Opposition to the missionaries on the part of the radical group was due to the stand taken by both on these problems — education, liquor, and the Indian. Those residents of Alaska who interested the missionaries

¹⁷⁷ The scheme was attempted in Juneau in Jan. and Feb., 1890. It involved an attack upon the governor and collector of customs by two newspapers which were later sued for libel by the governor, in true Alaska style. *Gov. Rept.*, 1890 (2842); *Sitka Alaskan*, May 2 and June 13, 1891.

¹⁷⁸ Statement made by Collectors Max Pracht and E. T. Hatch, before the S. Com. on Terr. in 1893, *Sitka Alaskan*, April 22, 1893.

were the natives, unregenerate or partly regenerate, according to their location, their economic status, and the number of days they could be forced to send their children to school.¹⁷⁹ When appropriations for Indian education had aroused the jealous ire of those whites who were forced by the deficiencies in the white-school facilities to go into their own pockets for the education of their children, discrimination of the worst sort was charged against "Shellgame Jackson" and his friends.¹⁸⁰ On the other hand, the missionaries were beginning to feel a just pride in the increased decency of the native. So far as he could be made more manageable by cutting off his supply of "hootch," he was a vindication of the mission as a government-subsidized institution. It should not be understood that the prospectors and young business men advocated drunkenness among the natives—they deplored it and generally tried to prevent it; but they wished the missionaries to talk of it less. They feared that every time statements appeared in print referring to Indians and prohibition in Alaska, capital was frightened away and immigration was discouraged. Furthermore, church officials suffered a loss of popularity with the traders when they assumed

¹⁷⁹ The native thought he should be paid for sending his children to school, and should be allowed to take them out at will. Satisfactory attendance was secured only with the coöperation of government official threats, or of native police.

¹⁸⁰ A careful investigation of the attacks upon Doctor Jackson at various times in his career fails to justify the charge that he personally profited from the misuse of government funds, although some of his transactions involving them might have sent a less influential man to jail. He was an impractical enthusiast, by nature lacking in business ability. That he was ignorant of Alaska and its inhabitants is shown in his book. However, great credit is due him for the introduction of domestic reindeer among the Eskimos, an innovation which the unappreciative whites described derisively as the "education of reindeer." He himself claimed to be "the founder of American churches and schools and civil government in Alaska." Hallock (Chas.), *Peerless Alaska*, 3.

the rôle of protecting the native against the whites in business deals.

Opposition to the government officials on the part of the average Alaska prospector and pioneer was sometimes attributable to a sympathetic understanding between the officials and the mission group. Doctor Jackson was a politician of recognized influence; he was an active participant in the "Washington Game" during practically every congressional term of his tenure of office as general agent;¹⁸¹ and he felt it to be his duty to secure as many appropriate appointments – and dismissals – as the circumstances from time to time permitted. The churches could ask government aid for their work of native enlightenment, as a concomitant of territorial advancement; and as they were generally understood to be doing a great and good work, they were able to secure much official coöperation. But when Fortune smiled on the native, the white grew all the more conscious of his own woes and disabilities. Consequently, officialdom in Alaska came to be thought of as an obnoxious hierarchy.

Although the officials were inclined to a liberal discretion in the matter of what legal infractions they should notice, and were even known to support illegal procedures upon extreme occasions,¹⁸² they were perforce unpopular. For they were sworn to enforce ill-fitting laws which were becoming increasingly inade-

¹⁸¹ Senator Vest (Mo.), speaking in humorous vein in 1898, said: "In the twenty years I have been in the Senate that distinguished divine has never been absent when an appropriation was to be made . . . he has acted as a conduit to drain off the surplus money in the treasury." 55C:28., *Cong. Rec.*, p. 2418. As senator and Secretary of Interior, H. M. Teller was Jackson's main reliance for a quarter of a century.

¹⁸² Governors Swineford and Knapp issued saloon licenses in Sitka and spent the funds upon improvements on the sidewalks, 52C:18., *Cong. Rec.*, p. 790.

quate, and they were possessed of no legal power to initiate better ones. This maladministration of justice was made the worse, as the populace knew, by the fact that Alaska shared the fate of other territories in being treated as a political preserve for the left-overs. Consequently, the general run of her minor officials occupied a decidedly lower plane of integrity than her more important office-holders, most of whom, despite the cumulative charges of their political enemies, were honest. On the whole, the officials were blamed not only for the misdeeds rightly attributable to them, but also for maladministration due to the influence of climate, distance, ignorant prejudice, bad law, and contemporary events in distant places.

The early antagonism of many Alaskans to the large mine-owners developed partly from the missionary-liquor complex.¹⁸³ Popular opinion chose to attack big mine and mill corporations because the men at the head of them seemed to stand in line with the missionaries on prohibition. For instance, Superintendent John A. Corbus, for more than a decade the directive force of the Treadwell mines, the then largest and most vulnerable corporation in southeast Alaska, wished to keep his workers sober and thrifty. To this end, he made it difficult for the foreigners and natives in his employ to waste their wages every two weeks upon

¹⁸³ During this period the only serious labor outbreak took the form of Chinese riots at Juneau and Douglas in 1886. The other workmen objected to their employment in the mines, and proceeded to pack them closely into two small sailing vessels, equipped with one hundred bags of rice and some tea, and send them off to Wrangell. Swineford wished to discourage the lawless element by bringing the Chinese back. But the mine superintendent and the naval commander agreed that there would be no way of protecting them from public opinion if they did return; so Swineford had to give up his vindication of law and order, *Gov. Rept., 1886* (2468); *San Francisco Examiner*, Aug. 14, 1886.

liquor. The men's pocketbooks were benefitted; but the Juneau press declared that their feelings were hurt, and their rights as residents of an area governed by the American democracy, disregarded. The *Sitka Alaskan*, the organ of the hierarchy, undertook to commend the superintendent for his prohibitory activities. Whereas, the Juneau papers, by a not unusual trick of the imagination, found the Presbyterian church guilty of connivance and palliation in the matter of fatal accidents that occasionally happened in the mine. The question of the actual guilt of the officials is not pertinent. The significant fact is that persons who managed to print a weekly paper, and to persuade other people to buy it, proclaimed therein that an influence contrary to Alaska's best welfare was being exerted by the combined activities of the missionaries, the government officials, and the mine owners.

Civic pride complicated this situation, for although Sitka had been outstripped by Juneau in population and industrial importance she retained the seat of government and most of the building appropriation.¹⁸⁴ Juneau was predestined to incur the presbyterial wrath and to organize the opposition to the Brady-Jackson régime, which came to be styled "Jesus Christ and Company."

As time passed, friction over pending legislation¹⁸⁵ extended beyond the would-be politicians of that town and their struggling press, and became a genuine part of articulate public opinion in the Panhandle. The younger, more radical and less wealthy pioneers strug-

¹⁸⁴ Sitka was the home of the Presbyterian Industrial School; Commissioner Brady had sawmill and trading interests there; and Knapp and Sheakley both urged that it remain the capital.

¹⁸⁵ The word "pending" is used advisedly, because Alaska legislation has always been reluctant in the consummation.

gled against the weight of influence wielded by the substantial conservative group, which had plenty of representatives at hand in Washington to testify before the congressional committees when necessary. Gradually, the more independent Alaskans began to coöperate, and called elections at which they went through all the forms known to American usage for the purpose of choosing delegates. These they then dispatched to Washington to gain attention for Alaska and to lobby against the hierarchy if necessary. Each group sought to influence legislation in favor of its own policies; but, because their failure to agree made Congress inactive, the efforts of all ended in recurrent futility. A scrutiny of affairs in Washington during the six Congresses beginning with the Forty-ninth and ending with the Fifty-fourth, reveals who were on the scene and to what type of behavior they were addicted.

Legislative Attempts at Relief from the Organic Act

Problem of Territorial Organization in respect to Land Ownership

During this dozen of years, a handful of senators and representatives was introducing bills touching Alaska. But in spite of the fact that the bills were concerned with such important matters as land, homesteads, mining, territorial organization, education, prohibition, exploration, and railroads, there is very little that can be said of them. For most of these measures died in committee and there is little record of the obsequies. Yet their historical significance, as a whole, is greater than that of the few unimportant acts which became law; for the dead bills typified the real attitude of Congress, which was one of indifference, inaction, and fumbling.

Such bills as did receive attention were primarily concerned with land, prohibition, and territorial organization. The problem of land ownership has been a persistent annoyance throughout Alaska's history and was the first question to gain serious recognition from a congressional committee. It was emphasized by Governor Swineford during his visits to Washington, and he found it less difficult to start action on this part of his program than on territorial government and aids to intercommunication, although he contended stoutly

for them all. He based all his propositions upon the wealth, resources, and just deserts of Alaska, demonstrating that she contained more white people than lived in some of the other territories when they were organized, and could accommodate many more, provided they might be persuaded to migrate. At committee hearings he was upheld by Dr. W. H. Dall of the Smithsonian Institution and L. M. Turner of the Coast Survey. But he was opposed by representatives of the Alaska Commercial Company and by H. E. Elliott, whose *Arctic Province* was then in process of publication.¹⁸⁶ Working with these sources of information, the House Committee on Territories, with the Secretary of the Interior in agreement, concluded that a judicious application of the United States homestead laws to Alaska resources should result in an influx of population that would gladly exploit the interior under the guidance of private capital without cost to the general government. Homestead laws, not territorial organization, seemed to them the immediate necessity. Accordingly, they set aside a bill for organization¹⁸⁷ on the ground that it was "unnecessary at this time to provide any further means for the civil government of Alaska" and introduced in its place a bill which partially extended the homestead laws.¹⁸⁸ There were doubtless several reasons why this bill never came up for discussion on the floor, the most obvious of which was the preoccupation of the Forty-ninth Congress with its Republican Senate and Democratic House.

Meanwhile, in the Senate, the Committee on Public

¹⁸⁶ *Washington Star*, May 26, 1886, and Jan. 19, 1887; *Chicago Times*, May 26, 1886; *Sitka Alaskan*, July 17, 1886.

¹⁸⁷ 49C:1S., H. R. 8757.

¹⁸⁸ 49C:1S., H. R. 9861, H. Rept. 3232 (2445) and 49C:2S., H. Rept. 4088 (2501).

Lands was considering the application of the Northwestern Trading Company (a rival of the Alaska Commercial Company in the fur-trade) for certain large Alaska holdings. The bill was lost because of recent disclosures of land graft elsewhere; and the same reason was later given as the basis for the refusal of the Senate Committee on Territories to extend the general homestead laws.¹⁸⁹ But another explanation of Senate policy may be found in the attitude of Senator O. H. Platt of Connecticut toward the administration of dependencies in general and of Alaska in particular. Platt, believing in the inevitable expansion of the empire of the United States, urged Congress to formulate a new and special policy for the administration of non-contiguous territory. He was never willing to regard Alaska as a potential state, and stood adamant against all the pressure which was brought to bear for the extension of land laws, especially homestead laws.¹⁹⁰ The most that he was willing to do was to advocate a thorough investigation of Alaska conditions, and put through the Senate a bill permitting the acquisition of land for town site and commercial purposes.¹⁹¹ When it became evident that this measure could not pass the House, its provisions were incorporated in a rider to the Timber Culture Act of that year (1891) and thus became law.¹⁹² Unfortunately it re-

¹⁸⁹ 51C:1S., *Cong. Rec.*, p. 1321.

¹⁹⁰ In this Platt was upheld by Senator Dolph of Oregon who asserted that a survey of Alaska land according to the system in the U. S. "never will be done in this generation or in many generations to come." Up to 1920, about 1,000,000 acres had been so surveyed, most of them in the previous decade.

¹⁹¹ 51C:1S., S. 1859, which failed in the House. Exclusively Alaska legislation can seldom get enough attention to pass both House and Senate in one session; *v.* also 52C:1S., *Cong. Rec.*, pp. 574 and 3466; *Sitka Alaskan*, Jan. 9, 1892.

¹⁹² 51C:1 and 2S., *H. R. 7254*, Sections 10-17.

mained, until 1898, the only law under which title to land in Alaska might be obtained.

Among the discomforts of their environment which were gradually stirring Alaskans to a political consciousness, lack of land title was scarcely more important than lack of legitimate liquor. In 1892 the Alaska prohibition laws received enough attention in the Senate¹⁹³ to show the complete ignorance of most Americans on that subject, and the real difficulty of changing the status quo. Senator Dolph of Oregon had revisited the territory the previous summer and had noted with interest that there were no fewer saloons and breweries than at the time of his visit in 1886; also that there had been a furor over the removal of a customs collector who had encouraged the Juneau license agreement.¹⁹⁴ Therefore he introduced a bill which proposed to substitute stringent high license for ineffective prohibition, "with a view to try to get some public opinion back of the officers of the government there to enforce the law." His bill was supported by the territorial judge, the district attorney, and the marshal, and by the Juneau grand jury. But Dolph at once became the target for "considerable criticism . . . on the part of ultra-temperance people, who know nothing about what they talk, and who would by their efforts perpetuate the existing condition of affairs in Alaska."¹⁹⁵ This class of persons sent in against the Dolph bill more than forty petitions, to which the Society of Friends and the Presbyterians were prominent contributors. Alaskans generally failed to rally to the support of Mr. Dolph; and so, although he was will-

¹⁹³ The House was then busied with an economy campaign.

¹⁹⁴ *Sitka Alaskan*, May 2-June 13, 1891, v, *supra*, p. 108, n. 177.

¹⁹⁵ 52C:18., S. 1076, *Cong. Rec.*, p. 4077.

ing to continue to be made the target of criticism if he could "secure some action in regard to affairs in Alaska," his bill died. It became evident, therefore, that as far as Alaska was concerned, prohibition would long continue to fail to prohibit.¹⁹⁶

There was a similar failure to function on the part of the Alaska court system generally, so that gradually all issues became involved in forming the complex behind the early home rule movement. It must be clearly kept in mind that at the outset this movement pertained to southeast Alaska only—to the Panhandle. The reasons for this are plain. In the interior the whites were living the lives of wandering prospectors and were permitted by the Act of 1884 to satisfy their immediate wants by the use of the "Miners' Code." On this basis each camp exemplified the self-sufficiency common to pioneer communities throughout American development, by organizing itself into a pure democracy. A recorder was the only permanent official, and was elected by the simple majority vote which also sufficed for settling all other matters. Justice was prompt and inexpensive, with three classes of punishment: for murder, hanging; for assault and stealing, banishment (a peculiarly effective punishment in the

¹⁹⁶ Dolph's activities led the *Sitka Alaskan* to proclaim (May 7, 1892) "Let Dolph, the Great arise, 6 feet 1 inch in the Senate, and introduce a bill to repeal all and every existing law that now covers Alaska like a funeral pall." Kate Field and Mrs. P. R. Voorhees of New York had returned from Alaska trips with extravagant reports of the immorality there, which reports were widely circulated by the Associated Press and bitterly denied by Alaska papers. The number of petitions against high license in Alaska was doubtless augmented by the fact that these same good-intentioned societies were at the time greatly exercised over the possible excesses of the Columbian Exposition along the lines of Sunday amusements, sale of drink, and conformity to "The American Standard of Purity in Art." The most influential prohibition paper to attack Dolph was the *Voice* of New York, which displayed the issue Jan. 7, 21, Feb. 4, 11, and 25, 1892.

vast solitudes of Alaska); for everything else, fines. The only federal official within the 400,000 square miles of inland Alaska was the deputy collector of internal revenue, and he did not count. Altogether, inland Alaska was much better governed than the seaboard, until the Klondike destroyed the "miners' meeting" as a respected and efficient institution.¹⁹⁷

As for the seaboard to the north and west its civilized settlers were excluded from the home rule movement by lack of communication, and by sparseness of population. For, although the rapid development of the fishing industries in the late eighties had increased both the population and the intercommunication for the summer season, it had little affected winter conditions. Such complaints as arose from this section dealt with the judiciary, which, because Sitka must be reached by way of San Francisco, was ineffective for carrying through any court processes of importance. As the settlers were not miners, they did not fall back on that code for the maintenance of law and order. Their economic system being completely dominated by the fishing industry, precluded any keen interest in government or in political affiliation with other parts of the territory.¹⁹⁸ Therefore it was among the residents

¹⁹⁷ This account of conditions in the interior is largely based upon unpublished manuscripts by Alfred H. Brooks—*Government of Alaska* and *Notes on the First Prospectors on the Yukon*; Doctor Brooks shows how the close contact between the diverse nationalities in each community welded its members together by an unconscious process of Americanization into a group characterized by self-confidence, energy, perseverance, and democratic ideals. A similar estimate of the Miners' Democracy is given in 56C:18, *Cong. Rec.*, pp. 3351-3352 and pp. 3420-3422.

¹⁹⁸ The Kodiak people, a year after the supposed inauguration of the district government "had not yet had the slightest evidence of the existence of the new authority . . . no copy of the Organic Act . . . no official communication of any kind" according to a letter from the place. They had not been visited by a revenue cutter in three years and their deputy marshal

and interests of southeast Alaska that attempts to organize the district government along territorial lines were first inaugurated.

The problem of making Alaska an organized territory, in the usual sense of the term, baffled Congress then as it does now. The natural factors in the situation were not such as most congressmen were familiar with, and contemporary events made it very difficult for Congress to decide to give Nature assistance in populating the region. Nevertheless, beginning soon after the Organic Act was passed, bills to partially organize Alaska were presented with fair regularity in the House and spasmodically in the Senate.¹⁹⁹

An interesting history is connected with one of these bills introduced at the outset of the game.²⁰⁰ It provided full organization, with a delegate, a legislative assembly, and four inferior courts in addition to a supreme court, and the customary minor offices and functions. Alaska was to constitute a surveying and land district with a full application of the homestead, townsite, and mining laws; the Indians were guaranteed one hundred and sixty acres each; and the treaty specifications regarding the private property of the Graeco-Russian Church and some individuals were reaffirmed. The United States also relinquished title to such lands as had been improved and occupied since the treaty by *bona fide* residents and citizens of the United States with permission of the United States authorities, or under a supposed right to do so (if they

had spent his year of office traveling with a prisoner from Unalaska to Sitka. *San Francisco Bulletin*, July 15, and Sept. 22, 1885.

¹⁹⁹ Representative Grout (Vt.) acquired the habit of introducing a delegate bill every Congress, and Senator Manderson (Neb.) showed some interest in this phase and a great deal in other aspects of Alaskan affairs.

²⁰⁰ 50C:11S., *H. R. 6555*, introduced Feb. 2, 1888, by Representative M. H. Ford.

had made a record with the customs authorities). The measure gave the occupants of such lands a prior claim to the purchase of them.

This bill had no sooner been introduced than Congress was deluged with petitions in opposition to it, all denominated as coming from "Alaskans."²⁰¹ These were referred to the House Committee on Territories, which had the bill under advisement; and the result was the introduction by the committee of a substitute bill, accompanied by a report of sufficient importance to warrant quotation.²⁰² In this report the committee explained that the Organic Act "stopped far short of a full observance of the treaty stipulation" because it "set up a form of civil government wholly devoid of the vital principle of representation, as well as of the essential privilege of local legislation. . . . Alaska should not be made an exception to the general rule invariably followed in the creation of local government for territories." The act also committed the sin of withholding the operation of any part of the general land laws, thus providing no means by which its citizens could acquire title to homes. The governors were handing in annual reports upon industries, resources, and population, without the means of acquiring the necessary first-hand information. Shipping facilities were so meager that Alaskan officials were usually obliged to accept the courtesy of private transportation at the hands of the corporations they were supposed to be investigating. The executive and judicial powers were practically united in one and the same person, an

²⁰¹ Two-thirds of these petitions were introduced by Republicans, then in the minority in the House. There was but one petition in favor of the bill, and it came from "citizens of Nebraska."

²⁰² 50C:1S., *H. Rept. 1318* (2601) to accompany *H. R. 8878*, a substitute for *H. R. 6555*.

anomaly wholly inconsistent with our form of government; and as for those ex-officio functions which had been bestowed so generously upon the court clerk, the marshal, and the commissioners, they had never been exercised, for lack of supplemental legislation which was necessary to put in motion the insufficient machinery of the Act.

The committee further found that when Congress bequeathed Oregon's old laws to Alaska it gave statutes which had been drawn in reference to town and county subdivisions, to a district in which neither could legally exist.²⁰³ These laws the Attorney-General confessed himself unable to compile into an authentic and reliable code, and the populace who were supposed to live in accordance with them had no means of self-enlightenment. The sum total of all these ills led the committee to indorse those features of Mr. Ford's bill which provided that Alaska should have her own legislative body to enact the supplemental legislation for which Congress was never able to find the time.

But on the subject of land laws the committee, assisted by numerous witnesses²⁰⁴ and the petitions, made several changes in the Ford bill which led them to introduce a substitute bill, with the following new and important provisions. The general laws of the United States relating to the public domain were *not* to be

²⁰³ The effect upon early social institutions of this oversight is illustrated in the status of marriage. Lack of counties left Alaskans without legal sanctions for family life. The resourceful sometimes registered their conubial state with a collector of internal revenue, but even this device left their children without probate rights.

²⁰⁴ The *Sitka Alaskan* of Nov. 26, 1892, gives reminiscences to the effect that President Cleveland was interested in Alaska legislation and conferred with Governor Swineford, W. F. Reed of Juneau, and R. Alberstone of Sitka as to its provisions. The Swineford influence is evident in both bills. Cleveland's messages and papers make no allusions to Alaska except in connection with the boundary.

extended to Alaska. All forest lands were expressly reserved and cutting or removing timber for export was declared unlawful.²⁰⁵ Land could be disposed of only under the mineral and townsite laws as adapted to Alaska by Congress; but inhabitants were not to be deprived of lands in actual use for residence, trade, or business, before they had been given an opportunity to acquire title under a law enacted for the purpose. Future settlers on vacant lands which were neither mineral, timber, nor Indian in character, should be entitled to a preference right to title to one hundred and sixty acres at such time as the homestead laws might be extended. An annual census of such holdings should be made and placed on file with the Secretary of the Interior. "As soon as may be" a special census of Alaska should be made by divisions and subdivisions, and reported to the Secretary as fast as made.²⁰⁶ Shore fronts, along navigable and unnavigable waters and streams, to a specified length and width, were reserved from sale for free public access and landing places.²⁰⁷ Each missionary station was confirmed in the possession of six hundred and forty acres of land.

Although this substitute bill had the unanimous support of the committee in charge, the delay in putting it together proved fatal to its chances for passage, and it never came up for discussion on the floor. This outcome was doubtless as satisfactory to the opponents of the bill as it was disappointing to Swineford and the pioneers, who had found hope in it in spite of its ob-

²⁰⁵ Recognition of timber rights for domestic purposes would have been a great satisfaction to Alaskans.

²⁰⁶ This was in line with the desire of the Panhandle to rid itself of its northern incubus.

²⁰⁷ This provision struck the fisheries interests in a vital spot.

jectionable features, and considered it an entering wedge.²⁰⁸ The bill is valuable historically, because it shows the trend of opinion and the attitude of the Committee on Territories.

From this time on, there is a noticeable growth of Alaska political consciousness and of the desire for home rule, marked by fairly definite stages. In 1888 Alaska secured her first official political representation by the seating of two delegates in the Democratic Convention.²⁰⁹ In 1889 some of the Republicans of south-east Alaska, not to be outdone, held a convention at Juneau on election day. They elected one of themselves, Miner W. Bruce, as a member of the Republican National Committee and drew up a memorial to Congress. This memorial asked first of all for a delegate, and also for homestead laws, legalized timber cutting, and a code commission.²¹⁰ After this convention Mr. Bruce, the author of the memorial, and George W. Garside, a Juneau surveyor, betook themselves to Washington to join the "third house." Doubtless they, especially Mr. Bruce, established relations with some of the members of their own party in Washington; but on the whole they took most credit to themselves for being instrumental in securing the passage of

²⁰⁸ Swineford considered Jackson and Brady to be instrumental, with Alaska business men, in defeating the measure.

²⁰⁹ These gentlemen seem to have taken the trip on their own initiative largely, one being called to the vicinity by a matrimonial errand and the other having financial interests involved. Their presence at the convention aroused "considerable surprise and interest," according to the *Washington Star*, June 27, 1888; v. *Proceedings Dem. Natl. Convention*, 56-57, 151 and 153.

²¹⁰ Badlam (Alex.), *Wonders of Alaska*, 9; Wells (H. L.), *Alaska the New Eldorado*, 13; Bruce (M. W.), *Alaska*, 13-18. The *New York Times* of Mar. 9, 1890, attributed the convention at Juneau to a desire to prevent the appointment of a Jackson nominee for customs collector there. Eventually the nominee proved unsatisfactory in his office to Jackson himself.

the "Townsite Bill" – the rider to the Timber Culture Act previously referred to.

*Second Non-Partisan Convention: Delegate Carroll
1890-1891*

But it was in 1890 that the Alaskans of this period reached their high point in coöperation for the purposes of government. Despite official discouragement of European and American immigration, gold and salmon had given Alaska a gain of one thousand percent in her population. The consequent decrease in sparseness – it could scarcely be termed an increase of density – was most notable, for political purposes, in the Panhandle.²¹¹ A Non-Partisan Convention was held at Juneau October 8, with forty delegates present, from nineteen precincts of the Panhandle. True to type, they perfected the customary organization, unanimously adopted a memorial to Congress, and elected a delegate, with the recommendation that he be accorded a seat "in case a law be passed allowing Alaska a delegate in Congress."²¹² The memorial recited Alaska wrongs, in brief as follows:

We are denied representation in Congress. Our jurisprudence is a distortion. Our judicial system is faulty. We have no title to land. We have no voice in the control of public schools. We have neither local self-government, nor the means by which to establish it. Our liquor law is obnoxious. Our postal service is inefficient. Our government buildings are in decay or altogether lacking.

²¹¹ 52C:18., *H. Misc. Doc. 340*, pts. 3 and 18 (3011) and (3015).

²¹² The proceedings of the convention may be found *in toto* in 51C:2S., *S. Ex. Doc. 39* (2818). According to the *San Francisco Chronicle* of Oct. 19, 1890, competition for the honor of delegate was warm between Mr. Gar-side and James Carroll, a popular steamship captain.

The memorial further offered numerous concrete suggestions for the righting of these wrongs, which suggestions the northerners, "deeply conscious of the justice" of their cause and "relying on the wisdom and patriotism of Congress," respectfully submitted.

The "delegate" to whom the Alaskans of the Panhandle had entrusted their fortunes, is described as a tall, broad-shouldered, solid-looking man, with firm lines of the mouth.²¹³ He was a good seaman, a man of the frontier type, and withal a charming person to meet. In his capacity of master of the "Queen," a vessel belonging to the Pacific Coast Steamship Company, Captain Carroll had acquired a knowledge of the tourist route and had made the acquaintance of practically every notable visitor to southeast Alaska. He was not only a great favorite with John Muir, but also, which was more to the point, a warm friend of Speaker Reed. His reception at Washington demonstrated his popularity, which was doubtless in no wise diminished by the fact that he represented the "corporate interests" with which he had long been connected and "stopped at the Shoreham, Vice President Morton's hostelry with the famous saloon attachments."²¹⁴ Be that as it may, he naturally had the aid of the Republican members of the Committee on Territories who were from the west, in general, and of the Oregon and Washington delegations in particular. Other of his friends and supporters were Representative Carter of Montana, who drew up what Carroll called a "decent" local government bill,²¹⁵ and Representative Kilgore of Texas

²¹³ *N. Y. Tribune*, Jan. 7, 1891.

²¹⁴ *Sitka Alaskan*, Jan. 10, 1891. Soon after his arrival, Senator Mitchell of Oregon honored him with a luncheon at which Senators Dolph, Allen, and Carey were present. *San Francisco Bulletin*, Dec. 31, 1890.

²¹⁵ This was *H. R. 13107*, for which the H. Com. on Terr. substituted *H. R. 13496*, 51C:2S., *H. Rept. 3698* (2887) which increased the number of

who advocated a restricted form of home rule.²¹⁶ To these must be added the members of the education committee which had visited Alaska in 1890: Jones (Ark.), Dawes (Mass.), Manderson (Neb.), Stockbridge (Mich.), and Wolcott (Col.).

There were other official and unofficial sources of information which assisted Carroll in bringing Alaska to the attention of the nation's legislators. From army funds had been published the report of the Schwatka expedition, sent out into the Yukon country, via Chilkoot Inlet, to Fort Selkirk, in 1883; this report presented the first complete survey of the Yukon, the third river in size in the United States.²¹⁷ The Jackson reports were regularly made Senate documents, with numerous reprints. But the effect upon legislation of these and numerous other documents was indirect and distant, because an individual congressman who had touched at some portion of the vast region under debate, would rise in his seat as an authority upon the whole, and inject into an amendment his personal and often unscientific opinions, with disastrous effect. There were always a few congressmen who were journeying to Alaska or otherwise obtaining information concerning her, because they were privately interested or inspired by vacation curiosity. In 1885, Senator Dolph and Congressman Failing of Oregon had skirted the Panhandle with Colonel G. P. Bliss, a prominent New York lawyer, and Senator Miller of California. They were followed the next summer by Chief Justice

justices of the peace, legalized timber cutting for domestic purposes and permitted townsites and municipal incorporations. This measure was welcomed by Alaskans as a relief from several of the anomalies from which they were suffering, and their disappointment was keen when their bill failed to come up for discussion or passage. *Sitka Alaskan*, Mar. 7, 1891.

²¹⁶ *Sitka Alaskan*, Feb. 14, 1891.

²¹⁷ 48C:2S., S. Ex. Doc. 2 (2261); v. also Schwatka (Fred.), *A Summer in Alaska*.

Waite and Associate Justice Gray. In 1887, Senators Vest of Missouri and Cameron of Pennsylvania, with Congressman Reed of Maine,²¹⁸ had been among the important observers. With each year the numbers of these visitors increased, and the interest also. But in spite of the friendly atmosphere, Captain Carroll afterward remarked that he felt more at home on the deck of a steamer than in the political environment of Washington.²¹⁹ Nevertheless he managed to make his Washington stay interesting.

The methods which Carroll used to secure attention from the second session of the Fifty-first Congress were novel. He believed in doing things on a big scale. He offered to buy Alaska as a quitclaim, for double the amount of the purchase price in cash, and he referred grandly to a personal credit of \$1,000,000 in the Riggs National Bank as proof of his backing.²²⁰ When Secretary Noble, conferring with Carroll regarding the timber and land laws which the Department of the Interior should advocate, questioned him on his offer, Carroll explained: "Of course we do not expect that any such sale and purchase will occur, but the proposition is made in the nature of an alternative. . . . That is not what we want. We only ask for our rights as American citizens."²²¹

²¹⁸ *V. supra* p. 104. The junketing expeditions proposed in the 48th and 49th Congresses were endangered by the fact that the congressional sense of ignorance and desire for enlightenment were less potent than the congressional vulnerability on graft charges. 48C:2S., *Cong. Rec.*, pp. 2437-2438 and 49C:1S., pp. 63-76.

²¹⁹ *Sitka Alaskan*, April 25, 1891.

²²⁰ Captain Carroll was penniless as a boy, securing his education by teaching himself as a deckhand. It appears that to a certain extent his means were acquired by dubious ventures in gold mining and opium smuggling, then a prosperous industry in Alaska waters. He claimed that Chicago and New York capitalists had assured him of their willingness to invest in a new purchase of Alaska; *Sitka Alaskan*, Feb. 14, and May 23, 1891.

²²¹ The further withholding of such of these rights as pertained to land

The Noble-Carroll interviews may have had some influence in adding the Alaska rider to the Timber Culture Act; and Carroll was also credited with securing the dismissal of prosecutions pending against those who had been cutting timber. But he was unable to establish relations of mutual understanding between the Secretary and the people of southeast Alaska. The liquor laws stood in the way. Alaskans resented Mr. Noble's tendency to blame them for the non-enforcement of prohibition. They said that Congress was the "anomaly," not Alaska; that the big canning and commercial companies smuggled with impunity;²²² that the good people of Alaska were not limited to the missionaries and the agents of California and Oregon capitalists;²²³ in short, that the faults which the carpet-bag officials ascribed to the "peculiar undesirability" of Alaska's citizens were due to the laws.

Carroll's amusing offer revived the talk of a purchase of Alaska by Canada²²⁴ and helped to enlighten the public on Alaska's potentialities. He lost no opportunity to proclaim the resources of the territory, and in his testimony before the committees of the Senate and House he refuted as well as he was able the contentions of ex-Judge Keatley, who, by virtue of a tenure of office in southeast Alaska covering fourteen months,

laws, would lead to general uprising and secession, according to Miner Bruce, who was a "self-appointed" delegate at this session. His threatening attitude was not shared by Carroll, or the general run of Alaskans, who expressed resentment at Bruce's attempt to misrepresent them; *Sitka Alaskan*, Jan. 10, 1891. Those who knew him best were quite sure that Bruce would be far away before the fighting began.

²²² *San Francisco Chronicle*, Dec. 12, 1896; *S. F. Call*, Dec. 25, 1896; *S. F. Examiner*, Jan. 18, 1897; *Sitka Alaskan*, Aug. 27, 1892, and Sept. 19, 1891.

²²³ *Sitka Alaskan*, Dec. 10 and 24, 1892.

²²⁴ This matter had been under consideration in the Canadian House of Commons as early as 1875.

had assumed an authoritative position in the congressional mind. Judge Keatley had left Alaska firm in the conviction that agriculture there was out of the question, and that mining and fishing constituted the sole wealth. His views, although he was not wealthy himself, were typical of such interests as held mines or operated canneries. As he saw it, the sole needs of Alaska, the only matters which Congress need notice, were the legalization of townsites and cannery locations; the increase of the governor's appointive powers, so as to name justices and constables for the new cannery locations; and legal provision for the presence of the governor in Washington, with his expenses paid. As for territorial government, he opposed it on the grounds of the small population and the lack of taxable property.

Captain Carroll endeavored to eradicate the impression Keatley created by painting for the senators and representatives a picture of Alaska as he thought he saw her—her industries, population, resources and legal status. He tried to demonstrate that the convention at which he was elected was truly representative of southeast Alaska and that there was an appreciably large body of permanent residents there who desired the things he said they desired—land laws to people Alaska, government surveys to insure title, and political privileges to establish justice.²²⁵

The apparent difference in point of view between the corporate interests and the delegate on the question of home rule was no bar to their unity of effort in the

²²⁵ Neither Keatley nor Carroll had a personal knowledge of the vast interior. Both sent to Sitka copies of their testimony, which were reproduced in the *Sitka Alaskan*, Feb. 14 and 21, Mar. 7 and 28, 1891. Other members of the "third house" on Alaskan affairs were Doctor Jackson and George P. Tingle, *v. supra*, p. 92, n. 152.

direction of improving such things as mail facilities to the westward; and this to such good purpose that the postal authorities were soon advertising for carrying bids between Sitka and Unalaska.²²⁶ Certainly the need for westward service was patent, as that part of the territory had never received mail except through the courtesy of the San Francisco office of the Alaska Commercial Company and similar unofficial agencies; and even later the Canadian Mounted Police were to meet United States deficiencies as to mail in the gold diggings. It is worthy of note that when the westward service was established in 1891 it was considered unnecessary to make special provision for passenger traffic.

Judging by the actual number of bills passed in either house during Carroll's stay at Washington, it would appear that the Senate took him more seriously than did the House. But even in the Senate there was noticed a "mysterious and wonderful sensitiveness" to the "scent of some lobbyist" whenever Alaska propositions, particularly those having to do with education, came up.²²⁷ However, the Senate finally passed bills for townsites, an official steamboat, exploration and survey, and additional ports of entry.²²⁸ The last of

²²⁶ *San Francisco Chronicle*, May 1, 1892; *Sitka Alaskan*, May 28, 1892. The *Sitka Alaskan* (July 11, 1891) thought that the limited service which was established savored "very much of a desire to perpetuate those monopolies . . . which have so long controlled the commerce of that section."

²²⁷ 51C:2S., *Cong. Rec.*, pp. 1018-1019.

²²⁸ *V. S. 1859*; *S. 1739*; *S. 4906* and *S. 2692*. The last attempted to lessen smuggling by establishing six new ports of entry, in addition to that at Sitka. Enforcement of the rule that all steamers proceed to Sitka before landing goods at any port had always been a physical impossibility, which was not lessened by the obvious sympathy of the steamship captains for the smuggling trade. Liquor when seized was known to have been sometimes regained by the simple expedient of tapping the barrels from beneath the wharves.

Bills which secured favorable committee reports but failed to get up for discussion, included a proposition looking toward an agricultural college, *H. Res. 258*, *H. Rept. 3414* (2885); a temporary government bill, *H. R.*

these was the only measure out of the twenty-one introduced altogether in which the House took time to concur. Platt of Connecticut and Jones of Nevada put through a resolution for a senatorial investigating committee, and Alaskans took hope, until the committee failed to secure such traveling accommodations as suited them and stayed away.

Perhaps this disappointment was one of the reasons why Alaskans were not altogether pleased with the record made by Carroll, particularly on the land question. The townsite, trading and manufacturing rider to the Timber Culture Act proved an aggravation, because it made the business of incorporation costly by levying upon the townsmen the survey costs, while title to land in general remained unobtainable.²²⁹ The government officials urged the citizens toward coöperation²³⁰ and in halting fashion the more important settlements elected trustees of the survey funds. These little nuclei of land-owners were, however, greatly restricted in their corporate activities by the requirement of the Act that they secure congressional permission for every important local function.

Party Recognition

Captain Carroll had expressed the opinion that another non-partisan delegate election would be held in

13496, *H. Rept.* 3698 (2887); a development bill S. 4906, *S. Rept.* 2100 (2826) and *H. Rept.* 3760 (2888); and the S. Res. for a visiting committee, 51C:2S., *Cong. Rec.*, 3118.

²²⁹ Act of Mar. 3, 1891 (26 Stat. L., 1095) Sect. 11-15, known in Alaska as the "Trading and Manufacturing Act." By April 30, 1892, sixty-eight applications for survey were on file, and of these all but ten were from San Francisco parties operating commercially in parts of Alaska outside the southeast section. "This explains that it was for these that Alaska was given a commercial and industrial law instead of a homestead law;" *Sitka Alaskan*, April 30, 1892; v. also Swineford (A. P.), *Alaska*, 227-256.

²³⁰ *Sitka Alaskan*, Dec. 26, 1891.

the fall of 1891,²³¹ but none took place of any importance for the next three years.²³² Some Alaskans felt that a delegate without legal sanction was little better than none and that the only way to avoid "the odium of the lobby" would be to elect one of the members of the dominant party (Democrat in 1892) in either House or Senate as Alaska's special representative, fortifying the honored one with endorsements and information. It was finally decided to work through party organizations, by establishing party papers and sending delegates to the national nominating conventions who should inform the members of those bodies—and through them the United States—"of our economic conditions and political status."²³³ This plan was tried in 1892, when the Democratic party for the second time seated two delegates from Alaska, and the Republican party seated two gentlemen representing the territory, but not residents of it. Both parties allowed Alaska a national committeeman. The delegates presented memorials from the territorial conventions at which they had been chosen, asking practically the same privileges as those mentioned in the memorial of 1890, with special emphasis upon the need for a delegate.²³⁴ The Democrats inserted in their platform

²³¹ *Sitka Alaskan*, Oct. 3, 1891, interview in San Francisco.

²³² A people's convention at Juneau in 1894 drafted a memorial to Congress of the usual type and sent T. S. Nowell as delegate. Mr. Nowell had large mining interests in Alaska, and as an actual resident of Boston had acquired an extensive acquaintance among congressmen and Washington officials. His delegateship, like that of Carroll, extended over a short session only. Bruce (Miner), *Alaska*, 19.

²³³ *Sitka Alaskan*, Nov. 14, 1891. "There are several able men among us who could fulfill the important mission of representing to the members of their respective parties the shortcomings of Congress toward this foster child of our Republic."

²³⁴ A loose primary organization preceded the territorial conventions. For Dem. convention *v. Sitka Alaskan*, April 23 and May 28, 1892; for Rep., *v. ibid.*, May 28 and June 11, 1892, also *Dispatch*, June 2, 1906, containing

a home rule plank for Alaska, whose delegates had voted "solidly" for Cleveland;²³⁵ it specified that the officials of a Territory or District, including the Districts of Columbia and Alaska, "should be *bona fide* residents" of it, because "the Democratic party believes in home rule, and the control of their own affairs by the people of the vicinage."²³⁶

As the Harrison administration drew to its close Alaska dissatisfaction with it increased. Harrison's discussion of Alaska's government in his first annual message and his recommendations of municipal governments, had temporarily encouraged Alaskans²³⁷ but the record of Congress had not. So the papers of Juneau and Sitka again took up the cudgels. They advocated a non-partisan convention to be held on the twenty-fifth anniversary of the purchase of Alaska, at which a bill of rights for a homestead law and a delegate should be put in the hands of "a live, unbiased advocate of our interests" who could convince Washington that, contrary to the impression created by the "self-constituted" delegates, Alaskans knew what they wanted.²³⁸ The same press advocated the organization of a central council at Juneau and local councils in the towns, to act "in conformity with the constitution of the organization at large . . . pending relief from Congress or annexation to Washington."²³⁹ But Octo-

reminiscences of Thomas S. Nowell, one of the delegates; *v. also Proceedings, 1892, Natl. Dem. Conv.*, 39-41, 101; and *Rep. Natl. Conv.*, 91-92, 112, and 116.

²³⁵ *Sitka Alaskan*, July 16, 1892.

²³⁶ The Republican platform did not mention Alaska specifically.

²³⁷ *Messages* of Dec. 3, 1889; Dec. 9, 1891; Dec. 6, 1892; *Sitka Alaskan*, Jan. 2 and July 2, 1892. *Juneau Mining Record*, June 23, 1892.

²³⁸ *Juneau Mining Record*, Aug. 11, 1892; *Sitka Alaskan*, Aug. 27, 1892. The growth of mining and fishing interests had materially increased the number of these jealous delegates.

²³⁹ At this period southeast Alaska was most anxious to be separated

ber 18, 1892, passed by unobserved by any protest in the form of a non-partisan convention, because although the settlers "had had ambitions to come to Alaska in the first place, they had been so deceived in their expectations that they had become apathetic."²⁴⁰

Discussion of a Delegate

Nothing further toward legislative relief was done until 1893, when Senator Platt, whose interest in territorial land legislation we have previously noted, introduced a government bill. Inasmuch as he could not consider Alaska a potential state, any more than other noncontiguous possessions in the Caribbean or Pacific, he became interested in formulating a new plan of government for such dependencies. The Platt bill of 1893 embodied his notions thereon.²⁴¹ Alaskans were violently opposed to Platt's plan, because it made no provision for a delegate. They believed it only granted reluctantly "that which can no longer be withheld, in the face of public opinion" and served merely to continue "this babyhood business" of giving everything worth while in Alaska "to wealthy outsiders with a pull."²⁴² The opposition became involved in patronage questions, over the candidacy of special deputy collector C. H. Isham, a Republican, for the governorship. An "Alaska League," which lived a brief time

from the incubus of the vast, unoccupied territory to the north and west. The Wilson bill attaching southeast Alaska as a county to Washington was popular, therefore, in the Panhandle; *Juneau Mining Record*, Aug. 25, 1892, and *Sitka Alaskan*, Sept. 10, 1892. As for the Washingtonians, those of the Sound region were anxious to transfer Alaska business and patronage from Oregon hands to their own. *Sitka Alaskan*, June 11 and 25, 1892.

²⁴⁰ *Sitka Alaskan*, Dec. 10, 1892.

²⁴¹ 52C:28, S. 3692, prepared in Dept. of Int. with advice of Governor Knapp.

²⁴² *Sitka Alaskan*, Feb. 4, 1893.

immediately prior to Cleveland's inauguration, had for its ostensible object opposition to the Platt bill, but gained its main support from Republicans who wished to secure a share in the patronage by crying out against carpet-bag rule.²⁴³

At the hearings on the Platt bill, before the Senate Committee on Territories, ex-Judge Keatley again roused the ire of Alaskans by his claims as to the amount and character of Alaska's population. He also advocated the abolition of the governorship and the enlargement of the judicial powers, a procedure which the actual division of powers between the two at the time would have seemed to justify. His discussion of immigration led Senator Carey (Wyoming) to suggest that territorial government might invite immigration in Alaska as it had done elsewhere. Keatley scouted this idea, opining that there was as much difference between Wyoming and Alaska as between China or Japan and Wyoming, and that anyway he had no immediate hope for the future of the country. There were heard on the bill three government officials, an agent of the Alaska Commercial Company, and one Yukon trader.²⁴⁴ Suffice it to say that Mr. Platt's bill slept in committee.

After this Representative Grout introduced a bill which found little more favor in southeast Alaska. It authorized the Secretary of the Interior to do what he had often done — detail the governor, or secretary of Alaska, for attendance upon Congress. But the bill went a little further in making this personage a delegate to the House.²⁴⁵ The *Sitka Alaskan* (December

²⁴³ *Sitka Alaskan*, Feb. 4, 11, 18, 25, and Mar. 11 and 18, 1893. *Alaska Journal*, Mar. 4 and Juneau *Mining Record*, Mar. 9, 1893.

²⁴⁴ *Sitka Alaskan*, April 22, 1893.

²⁴⁵ 53C:1S., H. R. 248.

2, 1893) predicted that the House would never allow the bill to become law, because it would infringe upon the rights of the people by sanctioning the participation of the executive in the legislative body. At any rate, Grout's bill fell into the same comatose state that Platt's had, and in the meantime the Secretary of the Interior continued to request, and obtain, the willing presence of Alaska governors in Washington.

In spite of the failure of these bills, it had become increasingly evident that Alaska's importance warranted better attention than she was getting. The boundary and seal controversies, and the threatened depletion of the salmon supply,²⁴⁶ caused the Fifty-fourth Congress to pay an unprecedented amount of attention to Alaska. No less than thirty-three bills, and an equal number of resolutions, and requests for information, were introduced; but out of the entire number only two measures admitted of a sufficiently cursory treatment to secure passage into law.²⁴⁷ Alaska was graduating into the class of subjects which Congress considers of sufficient importance to discuss on the floor and to "extend remarks" upon in the *Record*. The most enlightening of these discussions had to do with the delegate movement, in 1896, upon which the friends of Alaska had seen fit to concentrate their efforts.

It so happened that a bill for elective representation²⁴⁸ came up for vote, with two Republicans, Scranton of Pennsylvania and Perkins of Iowa, on opposite sides of the question. Mr. Scranton was fortified with

²⁴⁶ The first official investigation of the Alaska salmon industry was made by Capt. J. F. Moser, U. S. N., afterwards at the head of the Alaska Packers' Assoc., in 1889 and 1890. He was almost the first to point out the danger of depletion, and he started the first hatchery, privately.

²⁴⁷ *S. 2022* for the protection of salmon and *H. R. 3964* for additional ports of entry.

²⁴⁸ 54C:1S., *H. R. 3826*, *Cong. Rec.*, pp. 4673-4678, *H. Rept. 751* (3459).

a favorable committee report which acknowledged "the unfortunate state of Alaska," ascribing it "to the lack of reliable sources of information and active representation," rather than to "the wilful neglect of Congress." Logically, after taking this stand, the committee were led to favor an elected delegate, as being the lawful due of the 10,000 white people then estimated to be residents of Alaska. The committee, having an eye to the future, demanded this much, because Alaska's location as an "outlying dependency" gave it "a commanding importance to our future commercial and political relations" (not to mention its resources) which the United States could not afford to neglect. The committee anticipated no change in the unorganized status of the region for a long time to come, and found in this an added reason for allowing a delegate for a population which must "of necessity now and hereafter be almost wholly dependent upon Congress for legislation." ²⁴⁹

The failure of this bill may be ascribed to the remarks of Representative Perkins, the one member of the Committee on Territories dissenting from the report. Perkins denied that the demand for a delegate came from *bona fide* Alaskans. He insisted that it originated rather with the financial interests who hoped thereby to control conditions. As proof in point, he cited the absence of any but mining interests at the committee hearings, and Governor Sheakley's failure to urge a delegate in his reports. Perkins ignored the stand taken before the committee by Assistant Secretary of the Treasury Hamlin, in support of a delegate, although Hamlin had recently inspected

²⁴⁹ The report styled Alaska "the Gibraltar of the Pacific" and drew attention to the fact that the seal lease alone had yielded four per cent interest on the original purchase price.

the territory and reported Alaskans as strongly for an elected delegate. Nor did any one in the course of the debate mention the inability of the average *bona fide* Alaskan to spare the time and expense for a trip to Washington. As for the desires of the corporations in the matter, the course of events soon proved that they considered it more to their financial advantage to continue the "self-appointed delegate" system.

Regardless of its lack of intrinsic worth, the effectiveness of Mr. Perkins' argument is attested by the fact that the House defeated the measure, by a vote of ayes 44, noes 60. So the period ended, in spite of the activity of the Fifty-third and Fifty-fourth Congresses,²⁵⁰ with Alaska's political status unchanged. Soon there was to come an economic upheaval, which brought in its train the inevitable political consequences.

²⁵⁰ Into the Fifty-third Congress, at which Mr. Nowell was a "delegate," twenty-nine Alaska bills were introduced; two for additional justices of the peace and the protection of salmon, passed the House. Four others, dealing with the question of a delegate, liquor license, code commission, and municipalities, received favorable committee reports.

During the Fifty-fourth Congress, the Senate passed bills for additional courts and for fox-breeding, the House for protection of seals and new land officials, none of which became law. Throughout the period the special watchfulness of the members of Senate and House who had salmon and seal "constituents" was patent.

The Klondike

Klondicitis

In August of 1896, there leapt out from an obscure creek on the upper Yukon near Dawson, Canada, a tiny tongue of flame – a flame not of fire but of gold and the news of gold. It quickly grew, and mounted high enough for all the world to see, and spread far enough for countless men to feel the desire to come and enjoy the warmth of it. It crossed the boundary into Alaska (1897) ran down the Yukon, and circled the sands at Nome (1899). In Alaska other flames of gold had appeared and would appear; but none quite as strange and bold as this. This startling phenomenon was to have a far-reaching effect upon the industrial and political future of Alaska.²⁵¹

The Klondike boom took its name from the river which flows into the Yukon from the northeast about one hundred and twenty miles above the international boundary. The locality had been known among the fur-traders as a good hunting ground for moose and caribou, and had been occasionally visited for that purpose, by water in summer and by trail over the snow in winter. Upon the discovery of gold a town arose at the point where the Klondike enters the Yukon. It was

²⁵¹ In 1880 gold was discovered near Juneau, by R. T. Harris and Joe Juneau; but it was fifteen years before the Geological Survey secured an appropriation for the investigation of the gold and coal resources of Alaska. One of the earliest official reports on the Klondike discoveries is contained in "Rept. of the Director of the Mint," 55C:3S., *H. Doc. 47.* (3784) pp. 69-102.

named Dawson and became an administrative center for the Canadian Mounted Police as well as a supply center for the horde of goldseekers. Dawson could then be reached chiefly from two directions: from Skagway at the head of Lynn Canal by mountain trail and Lake Bennet down the Yukon; from St. Michael on Norton Sound up the Yukon. The lack of roads, trails, and other aids to navigation at the outset made the journey from the Puget Sound country to the Klondike a thing of three months at least and a year or two at the most.²⁵²

The gold craze effectually annihilated the comparative peace of the territory, while contributing to its prosperity. The "Klondike," followed fast by copper, coal, oil, and other crazes, lifted Alaska out of her familiar position as a decried dependency into the embarrassing company of the national storehouses of natural resources. The change in definition was concomitant with changes in population, industries, administration, and politics, which interacted peculiarly upon the form of government for Alaska. Congressional indifference was metamorphosed into a pseudo-paternalism, which sponsored an emergency administration in 1897, and a detailed legislative program in 1898-1900.

Alaska, indeed, was overwhelmed by the tide of events. Instead of her previous steady, moderate immigration of seasoned prospectors, easily absorbed by the miners' meeting into an orderly community life, she experienced a flood of thousands of hopeful, impatient seekers after wealth.²⁵³ There came many fine

²⁵² Brooks MSS. *The Klondike Gold and the Klondike Trail*.

²⁵³ The westward and northward movement of population started by the Klondike gold discovery approximated 60,000; about 50,000 reached Alaska and the total number of persons having a more or less direct financial status in the gold rush is estimated at 200,000. As a financial venture the world lost by the Klondike. *Ibid.*

types of manhood, but the stampeders were largely inexperienced and ill-fitted to the environment into which they had thrust themselves, and they therefore became the dupes of the unscrupulous and the dependents of the charitable. They made of the mining regulations a chaos, and some of them were forced to seek aid from the government and the public when winter found them starving.²⁵⁴ In the name of business the Pacific Coast cities engaged in heated rivalry for the spoils of Alaska's trade.²⁵⁵ In the name of humanity Congress and the American public supported relief expeditions.

The Police Power

Taken aback by the sudden perplexities and pleas of the Klondike, in the midst of Spanish embroglios and other world confusions, Congress hastily exercised the "police power"²⁵⁶ over the dependency. A revenue cutter was allowed the Secretary of the Treasury, on the petition of the trading and transportation companies, that the upper Yukon might be so patrolled as to prevent a deluge of fugitives from the Canadian Mounted Police.²⁵⁷ All that part of Alaska lying north

²⁵⁴ "Consular Repts., 55C:3S., *H. Doc. 294* (3783) p. 191; "Letters from the Secretary of War," 55C:2S., *S. Doc. 14 and 15* (3590); "War Dept. Annual Rept.," 55C:3S., *H. Doc. 2* (3745) pp. 180-181.

²⁵⁵ *V.* author's article, *Washington Historical Quarterly*, xiii, 20. Even Governor Brady wrote his home paper in Indiana that people should come to Juneau to buy their outfits. *Sitka Alaskan*, Dec. 11, 1897.

²⁵⁶ This term was adopted by congressmen to describe and to justify the hasty legislation which they enacted to meet the emergency in Alaska.

²⁵⁷ 55C:2S., *H. Rept. 215* (3717) on *H. R. 5029*; also "Annual Rept. of Navy Dept., 1907," 55C:2S., *H. Doc. 3* (3638) pp. 272-274. In response to the pleas of Wm. Ogilvie that the Dominion government use the Klondike "as becomes Canadians, intelligently, liberally, and in the way to advance our country, Canada" the northern part of Northwest Territory was set off as Yukon Territory in 1898 and placed under a commissioner and an appointed legislative council, with ample powers to conduct an emergency administration. With the aid of the mounted police, Ogilvie gave the Klondike

of the sixty-first parallel was created a "district of North Alaska" under the Secretary of War, and a military reservation was established at St. Michaels, the northern gateway to the gold fields. Near Skagway, at the southern gateway, other troops were installed, but the direction of affairs was sometimes assumed by the miners themselves. They once coöperated to forbid traffic on the White Pass trail until their combined efforts had made it safe and, after quite a struggle, they ran out of the community "all confidence, bunco and sure thing, and other objectionable characters."²⁵⁸

Congress exhibited unusual generosity in voting to print and distribute maps, reports, and reconnaissance compilations, in order to satisfy constituent curiosity. A separate steamboat inspection district was created, to aid the Treasury Department in decreasing the hazards of travel on light draft boats hastily assembled at the point of use;²⁵⁹ and because of rumors of starvation among the miners on the gold creeks and the whalers on the northwest coasts, the same busy and helpfully-intentioned congressmen voted sizable appropriations for relief, via the reindeer route.²⁶⁰

dike a responsible and flexible government quite ahead of anything in the Alaska diggings. V. Ogilvie (Wm.), *Rept. of an Exploration made in 1896-1897*, and *The Klondike Guide*, both published by authority Dept. of Int., Ottawa.

²⁵⁸ For conditions leading to these establishments, v. "Rept. of Captain Ray," 55C:2S., *S. Doc. 14* (3590); *H. Doc. 285* (3679) and 56C:1S., *H. Doc. 2* (3901). Nearly all narratives of the stampede mention Skagway affairs and the quotation above was taken from a warning of the "101 Society" to the "Law and Order Society," the latter a gang led by "Soapy Smith." Interesting contemporary sidelights are given in *Victoria Call*, Mar. 16, 1898, and *San Francisco Chronicle*, Aug. 24, 1897, and July 15, 1898.

²⁵⁹ This to the great dismay of the Seattle business interests, v. 55C:2S., *S. Rept. 562* (3620) on *S. 3627*.

²⁶⁰ On the Yukon Captain Ray had declared martial law, taken charge of the stores of the Alaska Commercial Company, and put the pioneers on rations. The miners' relief was an interesting failure fully described in 55C:3S., *H. Doc. 244* (3812). In its haste, Congress had accepted Cannon's

Meanwhile, the Land Office was drawing the attention of Congress to the fact that there were throughout the whole district no surveyor-generals, and in most of the interior no legal commissioners.²⁶¹ So in 1897 a land office at Sitka with a surveyor-general, and additional commissioners, were provided to attempt to cope with the situation as to mining claims. But these officials were perforce powerless – they had no executive powers as far as public lands were concerned – and in those localities where the stampeders set aside the regulations of the miners' meetings there remained no body of rules to serve, as do state and territorial laws, as amplifiers of the general mining statutes. Furthermore, as Congress had provided no increase in the powers or recompense of the commissioners, their jurisdiction was still limited to \$250 in suits and six months imprisonment, making them peculiarly liable to klondicitis.²⁶²

Alaska Complex at Washington

The Fifty-fifth and Fifty-sixth Congresses, 1897-1901, perforce devoted to Alaska's problems an amount

urgency that they act on the recommendation of the Secretary of War, who in turn based his judgment on that of Doctor Jackson. The whaler's rescue was a success, and was important as bringing forward Lieut. D. H. Jarvis, a significant figure in the Alaska Syndicate of the next decade; *v.* 55C:3S., *S. Doc.* 34 (3728) and 57C:1S., *H. Rept.* 2336 (4406). During this period a ship's freight was more likely to be liquor than food. The transportation companies sometimes gave free passage back to the United States to miners from the areas of low food supply.

²⁶¹ The fishing interests had long appealed for the supplying of these deficiencies, through their representatives from the Pacific Coast and New England. Both the incoming and outgoing administration admitted the necessity, and it was therefore not a matter of politics. However, it should not be understood that the surveyor-general has ever been a person of importance in the mineral mining in Alaska.

²⁶² Brady used the term "klondicitis" to indicate the universal desire to visit the gold fields. For example, in 1899, the district judge, C. S. Johnson, resigned to go to Nome, leaving the position vacant for three months, *v.* *Gov. Rept.*, 1897 (3642).

of attention small enough at best, yet quite unprecedented in the history of that dependency. In addition to a hasty exercise of the police power, Congress supplemented the Organic Act with three important laws: a transportation and homestead act in 1898, a criminal code and code of criminal procedure in 1899, and a civil code and code of civil procedure in 1900. Neither this special legislation nor any other since that time can be understood without an acquaintance with the conditions from which it grew—the Alaska complex at Washington, which was then, as it is today, a compound of all the official influences and interested forces in the United States, Alaska, Canada, and Europe that can make themselves felt at that focal point.

First in rank was the executive influence. The chief executive, President McKinley, acknowledged “the purpose of Congress as thus far expressed . . . that only such rights should apply to the territory as should be specifically named,” and urged Congress to exercise its prerogative so far as to extend the land surveys, legalize the voluntary municipal organizations already existent, and amplify the judiciary. He found the flexible government necessary to Alaska in the Louisiana pattern of 1805, which dealt with the situation directly through “a legislative council having power to adopt ordinances which shall extend to all the rightful subjects of local legislation.” He thought Alaska’s area too vast, and her population too scattered and transitory to make an elective legislative body wise.²⁶³

Some of the members of the cabinet felt that their information justified them in going further. The Secretary of the Interior believed that “complete territorial government” for Alaska as a whole, could best

²⁶³ Messages of Dec. 6, 1897, and Dec. 5, 1899.

handle local exigencies, if it included municipal incorporations, railroad grants, and extension of the land laws.²⁶⁴ The War Department was inclined to favor the plan of Captain Ray, that, "so long as the present chaotic conditions" exist, "the Yukon country be embraced in a provisional, semi-military government, with officials from the army appointed by the President, and with an expansion of the judiciary, Congress, as heretofore, to enact all laws."²⁶⁵ Ray, evidently, had considerable confidence in the military arm of government and in its ability to exercise civil functions. As it was, the service rendered by the army in maintaining order during the gold rush was practically nil, and the millions of dollars, which should have been spent in maintaining a constabulary such as the Canadian Mounted Police, were wasted.

The executive department most urgent in its appeals to Congress was that under the Attorney-General, which declared that in this region, given over to the biggest gold boom in our history, it was absolutely impossible to conduct legal proceedings. For Alaska yet remained a single judicial district, with one lone judge marooned in Sitka; and of course no one could foretell how he, or the officials under him, would construe the statutes. In fact, scarcely two of the eight judges thus far sent to Alaska had interpreted the law similarly, for each had exercised to the full his judicial individuality.²⁶⁶ They had had no code to guide them. The criminal and civil laws of Oregon, which the Act of 1884 extended to Alaska in so far as practicable, had

²⁶⁴ "Sec. of Int. Rept., 1897," 55C:2S., *H. Doc. 5* (3640) p. lxiii.

²⁶⁵ 55C:2S., *S. Doc. 14* (3590).

²⁶⁶ *Gov. Rept., 1898* (3758). A brief survey of the map and an appreciation of the climate and distances involved, will bring home to anyone the futility of the United States Court as then constituted.

never been codified. No revision of Oregon law had been made between 1872 and 1887; and none of the United States statutes since 1878.²⁶⁷ Alaskan officers of justice must therefore search among the sessional laws of Oregon and the *Statutes at Large* of the United States for subsequent changes in law; and the knowledge that officials elsewhere endured similar inconveniences comforted them not at all. Nor could a jury be legal in Alaska, because Oregon required jurors to be taxpayers and taxes were not levied in the District. Most of those who encountered this legal establishment could not afford appeals and by them this condition of affairs had come to be styled "one man rule," the one man being the judge.²⁶⁸ For these reasons, the Department of Justice demanded for the territory a special code.

The influence of Alaska's officials also was felt at Washington. Their opinions were usually expressed through a superior officer of the department under which they worked. But the governor and the general agent for education were conspicuous exceptions, because habitually consulted by the congressional committees to which legislation for Alaska was referred. Considerable importance attached to their opinions.

When the Republicans took over the administration under McKinley, Governor Sheakley found a more gainful occupation,²⁶⁹ and his prerogatives fell to John

²⁶⁷ 55C:2S., *H. Rept.*, 1482 (3722) on *H. R.* 8571.

²⁶⁸ A few important cases had by this time been taken up to the Court of Appeals for the Ninth Circuit, a procedure for which the United States Supreme Court then decided there was no legislative authority. 55C:2S., *H. Rept.*, 1459 (3722) on *H. R.* 10510, a substitute for *H. R.* 5856 and *H. R.* 5876.

²⁶⁹ He entered the employ of the San Francisco Chamber of Commerce, diverting northward outfitting business to the firms of that metropolis by the ex-official devices of a free lecture tour through the states and a bureau of information in Chicago.

Green Brady, who kept them for the next seven years. During the forty-eight years of his chequered existence the new governor had risen from a street waif in New York City, to a protege of the Children's Aid Society in Indiana, to a student working his way at Yale and at Union Theological Seminary, and finally to a missionary in Alaska. He established himself there in 1878, arriving with Sheldon Jackson on his second trip; but eighteen months later he ended his official career as a missionary to become the manager of the Sitka Trading Company, an enterprise later broadened to include a sawmill. His political career began with an Arthur appointment as commissioner at Sitka in 1885, relinquished in 1888. During all that time he had been thoroughly identified with life at Sitka as the isolated capital and Sitka as the stronghold of the Alaska presbytery. His warmest friends were of the mission group and he was himself an earnest supporter of Sheldon Jackson. That he had not, up to that time, shared greatly in Jackson's unpopularity, was due to his continuous residence in the district, his personal characteristics, and his modest occupation.

Alaska and her development were an integral part of John Brady's gospel. He had always been optimistic as to the potentialities of the district, prophesying after less than a year's residence that, if properly looked after, it would "be admitted into the union as a state within fifteen years."²⁷⁰ His concern over the lack of proper surveillance made it easier for Mrs. Brady to persuade him, after two decades to seek the governorship. In this quest he was assisted by Doctor Jackson, his own faction, and those opposing the appointment

²⁷⁰ *N. Y. Herald*, Feb. 22, 1879. In the home life of the Brady family the children were imbued with a fervor for Alaska which endures to this day.

of a non-resident, for the feeling against "carpet-bag rule," encouraged by the Republican and Democratic planks on that subject in the campaign of 1896,²⁷¹ had grown very strong. Sitkans generally were enthusiastic for him and the Panhandle as a whole seemed pleased when an Alaskan was named.²⁷² He entered the office with a hopefulness and abiding faith that remained with him through all the vicissitudes to follow. Believing as he did that he understood Alaska, and that she could get help only at the hands of Congress, he set himself to work upon that body so that Alaska might receive what he thought she should have.

In opposition to the Secretary of the Interior and a rising faction in southeast Alaska, Governor Brady announced in Washington that Alaska lacked the population and taxable wealth²⁷³ requisite to any immediate organization as a territory. Instead, he said that the existing machinery of government could be so vitalized by a proper code of laws and an increase in the number of judges, that the only other innovation necessary for wise administration would be a delegate. Pending this consummation, he, and the Secretary of the Interior, were convinced that the gubernatorial presence was necessary in Washington. In considering specific bills and the committee hearings on them, congressmen therefore encountered his special influence.

²⁷¹ *Official Proceedings*: Republican, 85; Democratic, 254-255.

²⁷² *Sitka North Star*, Feb., 1897. The Russian church in America was opposed to him. The *Russian Orthodox Am. Messenger*, quoted in the *Sitka Alaskan*, Oct. 9, 1897, styled him a "rampant Russophile," [doubtless meaning Russophobe] a charge without apparent justification.

²⁷³ It is interesting to note that it did not occur to anyone at this time that Alaska's gold mines and canneries were "taxable wealth," in spite of the fact that the output as early as 1893 had been worth \$2,540,000 in minerals (chiefly gold) and \$3,000,000 in salmon, as well as \$1,000,000 in furs.

As for the general agent for education, Doctor Jackson, he was as active and effectual in his field as he had been before the Klondike period. According to the *Herald and Presbyter*, which spoke of his influence with the Commissioner of Education, the Secretary of the Interior, and the Attorney-General, "our President and Cabinet turn to him as to no other, for the information demanded by the exigencies of our miners and whalers."²⁷⁴

The most perplexing type of influence at Washington was that of the lobby, which was of two kinds chiefly, the commercial and the sectional. In the former, no less than six large corporations, involving much English capital, were represented, all eager to be heard on questions of interest to them. There were, for the Yukon valley trade, the Alaska Commercial Company, and the North American Trading and Transportation Company; for the fisheries, the Alaska Packers' Association; for the seal interests, the North American Commercial Company; for general affairs in southeast Alaska, the Treadwell Mining Company; and for the whaling interests, the Pacific Steamer Whaling Company.

Lesser individuals there were, in increasing numbers, rival claimants for mining lands, promoters of railroad development schemes, all clamoring for legislative encouragement to capital. The Alaska lobby then acquired the characteristics it has retained to the present time. Whenever any new section of Alaska is opened up it soon adds its quota to the "self-appointed delegates" of the "third house." The new members are seldom all-year-round residents of Alaska; but they are always pecuniarily interested, and often carry

²⁷⁴ Quoted in *Sitka Alaskan*, Jan. 22, 1898.

credentials from one chamber of commerce or another.²⁷⁵ As sectional representatives, they have made the path of Governor Brady and his successors extremely thorny.

In addition to these lobbyists there were the chamber of commerce interests of the Pacific Coast, to which their northern customers made frequent appeals wherein Alaskan associations of a like character joined. Such petitions became almost innumerable and covered the whole conceivable range of request. Sometimes the memorials were presented to Congress through the Department of the Interior, via the governor; again, through an individual member of Congress. They depicted conditions in the localities from which they came, and they presented a fairly unified front in favor of one or more delegates, a code of laws, municipal government, and an increase in the number of judges. Prior to 1903, they seldom demanded territorial government. Frequently they were headed with the signatures of local agents of the big companies.

A study of the sources shows that Governor Brady, if not Doctor Jackson, passed current in Washington as an approximate representative of Alaska, as a pseudo-delegate, appointed by the executive and vouched for by the Department of the Interior. Yet neither he, nor any one man could represent Alaska. Even today, the men are but few who know the whole of Alaska or have any right to speak about the whole of Alaska. "When a man from Nome speaks of Alaska, he means his part of Alaska, the Seward peninsula. When a man from Valdez or Cordova speaks of Alaska he means the

²⁷⁵ For example, during the latter part of the Fifty-fifth Congress there was at least one delegate at Washington from each of the following settlements: Juneau, Skagway, Nome, Circle, Eagle, and Unalaska and two from St. Michaels. *Mining Record*, Mar. 22, April 5, 1899.

Prince William Sound country. When a man from Juneau speaks of Alaska he means the southeastern coast. Alaska is not one country but many, with different climates, different resources, different problems, different populations, different interests; and what is true of one part of it is often grotesquely untrue of other parts."²⁷⁶ The almost insuperable natural obstacles that separate these various parts of Alaska make it in reality a group of different countries, to which an unfortunate trend of circumstances has applied but one name — Alaska. And legislation has so dealt with those regions and peoples, under one name and classification, as to leave perforce the major part of the people and the country without any provision, or with the wrong kind of provision, for its welfare.

In addition to all of these semi-extraneous influences, there was the pressure of various personal constituencies upon individual members of Congress. As the Klondike boom had struck New England with considerable force, her Representatives made frequent allusions to their constituencies, in explaining their stand on Alaska legislation. But this sort of explanation was most frequent with the gentlemen from the Pacific Coast and western mining states, Washington, Oregon, California, Montana, and Nevada. The California delegation in particular was kept informed of the judgments of the Alaska Packers' Association, which was closely affiliated with the Alaska Commercial Company. Mr. Louis Sloss, spokesman for these interests, expressed fear lest most of the devices suggested to help Alaska should hinder her. He said that as long as Alaska lacked the means of communication and a stable population, territorial government must

²⁷⁶ Stuck (Hudson), *Ten Thousand Miles with a Dogsled*, ix.

remain impracticable. He seconded rather the recommendations of the governor as to the enactment of a civil and criminal code, and the increase in prerogatives of the commissioners. He was less enthusiastic, however, toward the plan for an increase in the number of judges; the only kind of delegate he would favor was an appointed one, and he was decidedly averse to the inauguration of a property tax. As events proved, Congress could not bring itself to go very far afield from his recommendations.²⁷⁷

Considering the number and variety of the impinging influences, it can not be surprising that the Alaska problem was a thing of complexity and perplexity. The task of constructive legislation, of whatever plan it might be, fell by congressional allotment chiefly to three committees in each house, those on Territories, Public Lands, and Revision of the Laws. These gentlemen wisely delegated as much as possible of the labor to a special code commission and struggled through the remainder themselves.

Homesteads and Railroads

The railroad people were the first to be attended to, in an act for "Homesteads and Railroads," mostly railroads. The trade of Alaska was a comparatively unknown quantity at this time, as the greater part of the region had yet to be explored and prospected. Alaska's prairie schooner had been a steamboat in summer

²⁷⁷ At this period the Northwestern Commercial Company were understood to be behind a movement for making the Yukon a separate organized territory. They proposed to include an area of 300,000 square miles in a territory by the name of Lincoln, with a capital at a settlement named Weare (after P. B. Weare, the vice president of the company) and the company had its own candidate for governor, James E. Booge; *Sitka Alaskan*, Sept. 4, 1897.

and a dog-sled in winter, but neither satisfied pioneers who had to cross mountain passes to reach gold creeks. Since the days when the success of the Atlantic cable destroyed the chances of communication via Bering Sea,²⁷⁸ capital had discouraged the advocates of railroad construction in Alaska.²⁷⁹ Nor had Congress done more than pass over requests for roads and trails. But by 1897, rumor had given the country a good mineral reputation, and the idea of railroad construction was called no longer an insane proposition, but one of sound business.²⁸⁰ There was in Alaska the one desire to get there, and get there ahead of one's fellows. Tent cities sprang up at all the passes and the big rapids. A toll of the lives of beasts and of the property of men marked the spots of severest congestion – and the most immediately profitable routes for railroads. The Fifty-fifth Congress warily scanned the resulting flood of private railroad bills, took thought unto itself of divers railroads prominent in American annals, and “put to sleep” each and all of the proposed private plans.²⁸¹

The Fifty-sixth Congress, unable to evade the issue, laboriously formulated a bill with the aid of western members of the House Committee on Public Lands,

²⁷⁸ \$3,000,000 had been expended upon a project to connect Siberia and Alaska by telegraph and cable, and stock was selling at a premium of sixty per cent when it went down to nothing on the completion of the Atlantic cable, *Washington Star*, Jan. 7, 1868.

²⁷⁹ Upon inquiry from Congress, some of the government surveyors had from time to time reported that an American-Russian railroad presented no greater obstacles than those already overcome in transcontinental building. 55C:2S., *S. Doc. 178* (3601) pt. 13, pp. 127-128.

²⁸⁰ *V.* “Report of the Copper River Exploring Expedition,” sub-report of E. Gillette, Engineer, 56C:1S., *S. Doc. 306* (3874) p. 147; also French (L. H.), *Nome Nuggets*, pp. 81-82.

²⁸¹ In comparison, the provincial assembly of British Columbia was ready to subsidize generously and immediately, but the Dominion Parliament proceeded with caution. “Consular Repts., Sept., 1898,” 55C:2S., *H. Doc. 565* (3676) pt. 1, pp. 114-116.

some of whom had constituents with Alaskan investments. "The committee was besieged with propositions to grant specific rights to specific companies, giving them specific charters. The committee resolutely set their faces against any proposition of that kind and prepared general legislation such as would be binding on all alike."²⁸² The resulting bill carried one brief clause applying the homestead laws to Alaska and several other clauses laying down general rules for railroad construction; and it retained that proportion through the House debate. Falling into the hands of the Senate Committee on Public Lands, the Lacey bill, as it was called, was entirely recast. Senators Perkins, Allen, Carter, and McBride, all western men, shifted the emphasis to homestead features, restricting acreage, limiting water fronts, and raising the price per acre. As this deliberation was consuming time, the lobby became impatient, and "at least one-third of the membership of the Senate and probably an equal representation in the other branch of Congress (were) being constantly importuned by constituents to secure some action on the measure." But there seemed to be "insurmountable obstacles placed in the way of this bill."²⁸³

Some of these obstacles may be classified. The canner interests were afraid that their sites might be preempted,²⁸⁴ and the transportation companies that they might lose their monopolies. The conservatives objected to a clause permitting the government to purchase the railroads after twenty years and the wagon

²⁸² This remark was made by Representative Lacey in defense of his bill; v. 55C:2S., *H. R. 5965, H. Rept. 137* (3717).

²⁸³ Remarks of Senators Carter and Hansbrough, *Cong. Rec.*, pp. 2119 and 2133.

²⁸⁴ This fear was expressed by Senator Perkins, Representative Loud and Representative Barham, all of California.

roads after ten.²⁸⁵ The radicals distrusted the railroads, a distrust so strong as to give the measure at one stage the appearance of "a bill to prohibit the construction of railroads in Alaska."²⁸⁶ The New England group, led by Frye and Hoar, wanted to exploit the friction between Americans and Canadians in the Klondike, over royalties, reservations, and customs, for the purpose of carrying a rider for the benefit of fishermen on the Newfoundland banks.²⁸⁷ Even when the bill reached the conference stage private interests were still requesting special benefits and, according to the committee, were still meeting a firm refusal.²⁸⁸

The virtual inaccuracy of this last assertion was proven when the conference restored the cannery rights to their earlier figure of one hundred sixty acres (established in 1891) instead of retaining the Senate amendment limiting them to forty acres,²⁸⁹ and freed the railroads from the jurisdiction of the Interstate Commerce Commission.²⁹⁰ Also the bill remained speculative in character, restricting homesteads to surveyed plots of eighty acres, with no provision for sur-

²⁸⁵ This clause had been inserted at the request of a Populist Senator, W. V. Allen of Nebraska, *Cong. Rec.*, p. 2321.

²⁸⁶ This remark was made of amendments suggested by Senator J. L. Rawlins of Utah, a Democrat. Of the large number of transportation companies organized during this period, nearly all failed, because of ignorance of conditions and lack of capital.

²⁸⁷ Debate on this measure was extended and threatened to wreck the bill.

²⁸⁸ *Cong. Rec.*, p. 4637. According to their own statement, Frye, Bruhn and Co., beef and pork packers of Seattle, at their own expense and initiative procured the passage of the Homestead Act, *Valdez Miner*, July 1, 1911.

²⁸⁹ Senator Allen complained that the bill as received from the House was "as full of holes as a sieve" and bore the appearance of having for its object "the spoliation of the District of Alaska."

²⁹⁰ This was in line with the desires of the railroad lobby. It was done against the wishes of the House and on the Senate contention that the Secretary of Interior was in a better position to watch Alaskan affairs than was the Interstate Commerce Commission. In 1907 the Supreme Court decided that the I. C. C. must accept this jurisdiction.

veys except at private expense. This effectually debarred the poor man from homesteading, to the dismay of the Department of Agriculture and Governor Brady, whose heart was bound up with Alaska's agricultural prospects.²⁹¹ The conference committee must have credit, however, for retaining a clause having for its object the protection of riparian rights from monopoly.²⁹²

By the adjustments above mentioned and the elimination of the New England fisheries rider at the insistence of the House, the "Homestead Act of 1898" passed into law. As Alaskans did not at first appreciate the nullity of its homestead features, they were inclined to hail it as the beginning of a new era. But a speedy revulsion of feeling led to the charge that the bill was enacted simply for the purpose of making provisions for cannerymen and speculators to purchase the most available harbors and fishing sites by means of soldiers' additional scrip.²⁹³ Its positive effect in this direction is negligible as compared with its bearing on the railroad situation. It set afloat a number of transportation schemes, the first of importance being that which aimed to connect Lynn Canal with the headwaters of the Yukon.

A corporation popularly known as the White Pass Railroad Company, from the name of the mountain gorge through which it reached the interior, was the first to file a right of way in Alaska after Congress

²⁹¹ *Gov. Rept., 1898* (3758).

²⁹² Entries along shore were restricted to eighty rods, with an equal distance between all claims reserved from entry.

²⁹³ Soldiers' additional scrip was a post-Civil War device for securing desirable portions of the public domain. There were at this time thousands of unused cannery sites, although monopoly of wharf locations had begun; the era of cannery building did not reach its maximum until twenty years later.

passed the Act of May 14, 1898. All the road was in Canadian territory except the first twenty miles, which connected with the seaport of Skagway; and the capital behind the expeditious venture was English, being that of a syndicate led by Close Brothers of London.²⁹⁴ The topography of Alaska and the evolution of public opinion in the United States, worked together to keep all competitors out of the field, so that for the next twenty years the only railroad leading to the interior of Alaska was this English line. Such a condition gave rise to much demand from Americans for an "all-American route" to the interior; and it soon had an intimate bearing upon the movement for home rule.

The First Taxation – the Criminal Code

The next important legislation passed to supplement the Organic Act was the Criminal Code of 1899. Congress had never before done such a thing as make special codes of civil and criminal laws for a territory, but now that it was roused from its lethargy on territorial matters, it seemed unwilling for anyone else to do it for Alaska.²⁹⁵ Even at that, action would not have resulted without a constant preaching of the rapid development of the District in resources and population.²⁹⁶ For each interested legislator felt the impulse to incorporate the laws of his own state; and none of

²⁹⁴ The railroad was so well timed with the gold rushes that its net earnings were at the outset very large. No one knows what was the actual income of the White Pass. It was able to conceal its earnings effectually because it operated under four charters and under the divided jurisdiction of the United States and Canada.

²⁹⁵ Letter from the Attorney-General, transmitting the report of the commission, 55C:2S., *S. Doc. 60* (3592); *v.* also *H. Rept. 1482* (3722) on *H. R. 8571*, and 55C:2 and 3S., *Index* for *H. R. 8571*.

²⁹⁶ The bill was in charge of Warner, chairman of the H. Com. on the Rev. of the Laws, and Carter, member of S. Com. on Public Lands.

them were on familiar ground in legislating for a region which had a law making liquor selling a crime and did not have a system of taxation. It was these two long-standing aspects of Alaska life which most confused the program.

On the liquor question there were but two shades of opinion. The presbytery of Alaska, a minority of the missionary element there, and the Federation of National Temperance and Religious Organizations, insisted that recognition of liquor traffic on any terms would be highly immoral, and that the existing law could be enforced by conscientious officials. Their spokesmen were Representative Moody of Massachusetts, and Senators Gallinger of New Hampshire, and Platt of Connecticut, who were supported by such members as knew the least concerning the actual condition of affairs. Their opponents, led by Senator Perkins and the steamship interests, and Representatives Tongue of Oregon and Warner of Illinois, stood for high license on the recommendation of the generally informed of the Alaska populace, of the officials connected with Alaska, and of even the large liquor dealers on the Pacific Coast.²⁹⁷

The high license group was able to marshal an enlightening array of facts supporting their contentions. The unenforceability of the existing law had been proved in the expenditure by the federal government of \$148,000 during the past four years in futile prosecutions. The Commissioner of Internal Revenue had so far recognized the business as to collect an increas-

²⁹⁷ The great bulk of the smuggled liquor was Canadian. It amounted to 60,000 gallons in 1898 and brought no revenue to the United States; *Hearings*, H. Com. on Terr., Jan. 23, and 25, 1899; *v.* also 55C:3S., *S. Doc.* 122 (3735) and *Gov. Rept.*, 1898, *loc. cit.*, and Jordan (D. S.), "Colonial Lessons of Alaska," *Atlantic Monthly*, lxxxii, 577.

ing amount of taxes from it.²⁹⁸ Federal officials were engaged in stealing from smugglers, in selling seized liquor, and in using United States vessels for smuggling purposes of their own. Special Treasury agents had been indicted in Alaska for asserting that there was connivance between liquor and cannery men to prevent smuggling convictions.²⁹⁹ To cap the climax, the proprietors of disorderly houses had raised a purse to aid the group asking that the old law be retained, because high license would put most of them out of business. Furthermore, Governor Brady, understanding congressional psychology, gave conclusive evidence of the united Alaska desire for high license.

In his report for 1898 he explained how the liquor question was bound up with the taxation and delegate issues. While he sympathized with those congressmen who were afraid that a vote for high license would affect their constituencies adversely, and others who for party reasons opposed a delegate bill, he urged all to support the one immediately, and the other in the future. He supported the contention of the investors of capital that a property tax would frighten them out of Alaska, thereby hindering the development of the district's resources, and that no type of representation, form of government or code of laws levying such a tax should be allowed to pass. Therefore a special license tax was the only kind to levy. Some sort of tax must be levied because, said he, "the principal reason why Alaska has never been able to get fair and proper representation before Congress is that she creates no revenue with which to carry on affairs of the territory,"

²⁹⁸ Taxes had been collected from 112 retail liquor dealers in 1896, 147 in 1897, and 373 in 1898. The capital of Alaska had 12 saloons and Juneau had 40.

²⁹⁹ *San Francisco Chronicle*, Dec. 12, 1896; and *Examiner*, Jan. 18, 1897.

and this lack of representation constituted "one of the most substantial arguments in favor of a high license law." The people of Alaska, he thought, would be amenable to such an arrangement, because they were "not unwilling to be taxed in order to be represented." On the basis of this reasoning, the governor asked the Pacific Coast representatives to urge Mr. Cannon's committee on appropriations to give Alaska a modified form of the District of Columbia license law.³⁰⁰

This notion was not distasteful to the gentlemen, and had evidently great weight with Congress, for Alaska was thereupon taxed by a special plan which legalized liquor selling, although the representation for which she was to be taxed was denied her for seven years more. Congress, indeed, made no promises of representation. The taxes were to go into the United States Treasury to pay for the enforcement of the new criminal code,³⁰¹ and they were levied upon the pioneers in general, according to the business in which they were engaged, whether it was billiards or boarding houses, meat marketing or taxidermy. The railroads were taxed one hundred dollars for each mile in operation, thus perpetuating the monopoly of the White Pass which was the only one that could afford to pay that amount. The fisheries were taxed according to their output, for example, four cents for each case of canned salmon and ten cents for each barrel of salted salmon. The gold mines were taxed by the number of stamps in operation, three dollars per stamp. This system of licensing all businesses on the same principle as saloons

³⁰⁰ *Gov. Rept.*, 1898 (3758); *Sitka Alaskan*, Feb. 12, 1898, quoting *San Francisco Call*; and *Sitka Alaskan*, June 11, 1898.

³⁰¹ The Senate had passed, the previous year, a civil bill levying business taxes of this type. 55C:2 and 3S., S. 3729, *S. Rept.* 607 (3620) and *H. Rept.* 1807. (3840).

adapted itself readily to Alaska, because of her lack of the usual organization for levying ordinary taxes; and it has been retained, with modifications, to date. But the disposition of the funds became a fertile source of tribulation, from 1899, when all of them were diverted into the United States Treasury, to the present, when but a fraction of them go there. As far as Congress was concerned, the clearing up of the taxation and liquor issues made the passage of the code a comparatively simple matter.³⁰² But as far as Alaskans were concerned, the taxation feature of that code confused them and revolutionized their attitude toward the national government, giving the movement for home rule a forward spurt.

³⁰² Act of Mar. 3, 1899. (30 *Stat. L.*, 1253) Newspaper debate upon the constitutionality of this special excise began immediately and continued until the question was settled by a decision of the Supreme Court.

Provisions for Civil Government

Development of Public Opinion

The Criminal Code would have been accepted with relief and gratitude if it had not tempted criticism by levying a direct, special tax. Immediately there arose the cry of taxation without representation, echoed constantly in the Alaska press and sporadically in that of the states.²²² The act was declared unenforceable because "a new thing in the history of the United States," "unconstitutional" and "opposed by Alaska public opinion." The steamship companies prepared to make a test case and the humbler interests objected in their own weaker way. Approval of the code as a whole came from the government officials, who urged that the law was applicable and that its liquor provisions worked well. The Brady organ (*Sitka Alaskan*, June 10, 1899) pointed out that the tax was small as compared with those levied in the states, and that there had been a remarkable decrease in the number of saloons. Senator McBride protested, through the same paper, that the committees in charge of the bill

²²² Interesting comments on the early enforcement of the act may be found in *Juneau Dispatch*, Mar. 13 and 24; *Record-Miner*, April 14 (quoting the *N. Y. Sun*) and June 30; *Alaska Truth*, Mar. 16; *Mining Record*, July 12, 1899. During the six months ending Dec. 30, 1899, the number of licenses decreased from 324 to 99; Skagway saloons fell from 104 to 16; Sitka, 19 to 3; Juneau, 55 to 19. The force of customs officers had to be reduced. Strongly written editorials opposing the license tax appeared in *Alaska Truth*, Mar. 2, 9, 16; *Record-Miner*, Aug. 11, 1900.

had been honestly desirous of aiding Alaska and simply unable to think of any other way to reimburse the government for its Alaskan outlays. The law was, at any rate, successfully enforced, and to that extent vindicated.

Gradually, the pioneers came to realize that they had a better argument than ever before for a delegate and a larger appropriation.³⁰⁴ Since the days of Carroll, there had been no concert of the settlements for a unified program, but the events of 1899 gave the residents of southeast Alaska the encouragement to make common cause for local government, a delegate, a civil code. Their prospects for obtaining these things were increased by the visits of many members of Congress during that summer.³⁰⁵

The visiting congressmen were put on the defense for recent legislation, by the civic bodies of those settlements which they visited, especially at Skagway and Juneau; Alaskans were growing assured of their own importance. Mr. E. H. Harriman had spent thousands of dollars to bring a special party of scientists and friends on a lengthy tour; the business men of Seattle had organized a large excursion that came up and stole a totem pole; the Presbyterian Synod of Washington had held their annual meeting on ship-board in Alaska waters; and, moreover, Mr. W. J.

³⁰⁴ *Mining Record*, April 26, and *Sitka Alaskan*, April 15 and 22, 1899.

³⁰⁵ Whenever the opportunity came, in the press, or elsewhere, Brady urged people to visit Alaska. Senator Foster of Wash., was active along the same line, and the boundary issue and the gold rush added their influence to bring an exceptional number of visitors. They included members of the Joint High Commission, and of important committees of Congress, among which were influential persons on Ways and Means, Merchant Marine and Fisheries, Revision of the Laws, Military Affairs, Foreign Affairs, Banking, and Currency, Census, and Territories. Their names are mentioned in *Mining Record*, June 21, July 5, 12, 26; *Sitka Alaskan*, June 24, July 8; *Gov. Rept.*, 1899 (3918).

Lampton had come, as contributing editor of the *New York Sun*, to advertise his paper and the district.

In addition to this growing feeling of importance the congressmen found public opinion greatly stirred over the questions of civil law,³⁰⁶ education, the Canadian boundary, and local self-government. The Juneau grand jury, under the foremanship of ex-Governor A. P. Swineford, had indicted in June, 1899, Dr. Sheldon Jackson, on the charge of negligence toward southeast Alaska, unwise expenditure of government funds and untruthfulness in annual reports on education. The deplorable lack of school facilities in southeast Alaska, the infrequent visits of the agent and the comparatively munificent government expenditures for reindeer, gave considerable color to the charges. Before the charges were made, moreover, President McKinley had received from the Bishop of the Greek Catholic Church letters uncomplimentary to Jackson. But the indictment lost weight from the fact of the long-standing enmity between the foreman of the grand jury and the chief personage indicted by it, and from the prestige of the latter with officials in Washington and with the Presbyterian church throughout the country.

The indictment in itself led to nothing in particular. But the affair brought out in bold relief the change which had come over Alaska. It showed that, in the eyes of the rising democracy of the southeast, the hierarchy had fallen into desuetude, a thing of which Congress, however, was less certain. Sitka was in southeast Alaska but not of it. There was the abode of the Presbyterian Mission group and the Synod, in whose

³⁰⁶ This point has been so fully detailed in previous pages, that additional description is unnecessary.

eyes Juneau and her ilk had become the home of the "worst element in Alaska." Moreover, the indictment increased the unpopularity of the governor, who, in his honest simplicity, failed to see the merit of explaining his obnoxious policies to the Juneauites, an undertaking which would have been particularly helpful inasmuch as Jackson did not care to make any attempt whatever along that line. The residents of Skagway, Ketchikan, and Juneau were neither the thieves nor the rogues that the Sitkans were inclined to believe them; but under the circumstances, it was not hard for them to believe agitators who told them that their governor was not working for the best interests of the territory as they understood them. This mutual misunderstanding actually went so far as to approach the melodramatic, but it left comedy for tragedy when it so stifled attempts at coöperation as to give Congress a plausible excuse for inaction.³⁰⁷ The opposition of many of the pioneers to Brady and Jackson was a cumulative source of unpleasantness and prejudice during the next six years.

The state of Alaska public opinion upon Canadian relations has been alluded to as an additional cause of complaint before the visiting congressmen. In the earlier days of the Klondike, a majority of the miners in the new diggings came from American soil, al-

³⁰⁷ Sidelights on the situation described above may be gained from the *Sitka Alaskan*, July 1, 8, 29, 1899; and the *Mining Record*, of Juneau, April 5, May 17, June 7, 28, July 5, Aug. 9, Sept. 27, Dec. 6, 27, 1899; v. also *Gov. Rept.*, 1899, *loc. cit.* The growing attitude of ridicule for the hierarchy was expressed by the editor of the *Juneau Dispatch*, Jan. 23, 1900. He dreamed that when he died and knocked at the pearly gates, St. Peter told him, "All souls from Alaska who enter the gates of Paradise must present hereat a certificate of worth endorsed by both Governor Brady and Reverend Sheldon Jackson. None others can pass." The editor lacked the paper and was shut out. However, it should be distinctly understood that reindeer appropriations were separate from those for schools and could not be used for that purpose.

though some of them *assumed* the name of Canadians in the hope of profiting thereby. Quite a number of Americans had been deprived of claims under circumstances which led them to believe that the Canadian officials habitually seized the best claims for themselves as soon as the Americans had given notice of their desire to locate upon them. Added to this grievance, were those caused by the royalty upon all gold mined in the region, the disbarment of all aliens from placer mining in British Columbia, holdups of liquor convoys and customs charges on miners' outfits. When the boundary question was raised to throw in doubt valuable claims lying in the Porcupine region, some miners found their only security in conformity to the regulations of both countries, and those apparently safe in their holdings naturally feared the results of a change in jurisdiction. In a few localities, the sentiment favored annexation to Canada, but as the United States had been holding the disputed territory, most of the locators upon it felt that the American flag would be the greater advantage. Rumor around Skagway had it that this port, which had been developed by British capital and was the only all-year-round gateway to the interior, was to be used as a pawn for the abrogation of the Clayton-Bulwer treaty or the granting of eastern fishing rights. It was understood that Great Britain was acting in behalf of Canada in return for her aid in the Boer War. Few Alaskans could be other than ignorant as to the status of negotiations and their anxiety was correspondingly great. Whichever way the matter was to be decided, they wished it to be settled at once, and put them out of their uncertainty.³⁰⁸

³⁰⁸ *Mining Record*, Mar. 22, May 3, June 14, Nov. 22, 1899; *Alaska Truth*, Mar. 9, 1900; *Dispatch*, April 1, Dec. 1; *Record-Miner*, Aug. 20, 1900.

Other moot questions concerned themselves with the freight and passenger rates maintained by the transportation monopoly, and with the chronically meager mail contracts. But the worst vocal dissatisfaction of all arose over the desire for local self-government in Juneau, Skagway, and Ketchikan. These young Panhandle towns had populations of 3,000, 3,117, and 800 respectively, but they were without any legal form of municipal government, were struggling to perfect townsite title,³⁰⁹ and had ambitions to become modern communities. In each the police force was limited to a deputy United States marshal, but there was comparatively little for even him to do, because the limited means of communication and the consequent difficulty of escape, made criminals rare.³¹⁰ The streets of these towns were often planked through the contributions of business men, but the grade rose and fell at the sweet will of abutting property claimants. The improvements were surprisingly modern for communities without legal backing; they included limited systems of waterworks and lighting plants, both largely built on faith and supported by hope. However, both the faith and hope were giving out with the strain upon public patience, at the time when the congressmen arrived at these places.

³⁰⁹ At Juneau a claim to the townsite was held by R. G. Goldstein, who was upheld in his contentions by the Department of the Interior. Thereupon his fellow townsmen forced him to attend a mass meeting at which they discussed the subject of lynching. The result was that Goldstein acceded to their request that he turn over his official papers, which he never regained. *San Francisco Call*, Nov. 28, 1896.

³¹⁰ The same conditions held true of the Yukon valley, according to Maj. P. H. Ray, in command of Fort Egbert, "In an experience of over thirty years along our frontier I have never seen so little crime in proportion to the population and interests at stake." 56C:1S., *Cong. Rec.*, p. 4167; *Dispatch*, April 25, 1900.

*Third Non-Partisan Convention: Delegate Price
1899-1900*

Confronted by these various complaints, those of the visiting senators and congressmen who took Alaska's welfare keenly to heart, found their ideas confused rather than clarified by their visit to that unhappy district. They protested their desire to pass such measures as were wanted, if only Alaskans would conform to American precedent and present a majority opinion in favor of some particular brand of legislation. On the strength of this counsel, southeast Alaska made an effort at coöperation no less than heroic. The Chamber of Commerce of Skagway took the initiative and secured the support of like bodies at Juneau and Douglas, with the result that there was issued a call to a non-partisan convention, the object of which should be to secure united support for a legislative program. The call is self-explanatory:

A Call to the Citizens of the District of Alaska:

The outrageous neglect and ignorance manifested by our national legislative body of a commonwealth based upon the untold wealth of the mines, fisheries, lumber, and commercial enterprises of Alaska is so deplorable that the situation demands some prompt and energetic relief. Being keenly sensible to our specific, urgent, and vital needs of wise laws that shall be suited to the conditions now existing in Alaska; being denied representation by which our wants might be intelligently presented and defined; and recognizing the wisdom and strength of united effort, it is believed that if we, as a people, agree upon a Legislative Bill and memorialize its passage by Congress providing additional courts of justice, civil

laws that are not obsolete, adequate schools for white children, a delegate to the house of representatives, the appropriation to Alaska of the public revenues collected from her industries, and such other provisions as may seem expedient, we may at the coming session of Congress secure our constitutional rights and the consideration that every American citizen should expect.

With these ends in view the city of Skagway delegated a number of her representative citizens to visit Juneau, where a mass meeting was called on the 15 inst., and by virtue of a resolution unanimously agreed to in joint assemblage of the citizens of Skagway, Juneau, Douglas, and Berners Bay, duly qualified and instructed delegates of the whole people of Alaska, are hereby called to meet in person and without proxies at the city of Juneau on the 9 day of October next in a non-partisan convention to deliberate and take appropriate action upon the business in the premises set out.

Thomas Whitten, Skagway

Oscar Foote, Juneau

M. C. Howell, Douglas

Committee appointed to call convention.
Juneau, Aug. 16, 1899.³¹¹

Unfortunately, August 16 was a rather late start for this movement, as the date of the convention was set for October 9. The mode of selecting delegates was left to the ingenuity of each community, with the understanding that there were to be elections where possible.³¹² But as the visiting congressmen had scarcely touched the great interior, or the western and north-

³¹¹ *Sitka Alaskan*, Nov. 25, 1899.

³¹² An attempt of the Juneau Chamber of Commerce to dictate the selection of delegates from that city failed.

western coasts, that part of Alaska which embraced the largest area and the smallest permanent population did not receive the stimulus of coöperation and could not respond to it. Even had the Yukon people been aware of what was going on in the Panhandle, it is extremely doubtful if they could have taken part. The inevitable result was that when the historic non-partisan convention met at Juneau, October 9, 1899, there were present one representative from the settlement of Eagle on the Yukon and about fifty from the Panhandle and south coast, of whom many were lawyers and business men and a few were miners.³¹³ This group, with some changes in membership, remained in session ten days, struggling to overcome the jealousies of localities and persons, but comparatively unhindered by party feeling.³¹⁴

The business of the convention was done "very much after the manner of a state legislature," by committees, of which there were six: criminal code, civil code, public lands, and land laws, education, municipal government, and military affairs. All of these except the military reported against Congress "true bills" which the convention endorsed. For the better instruction of Congress, a memorial to that body was drafted, needed

³¹³ According to the military authorities, the interior pioneers were opposed to increases in political functioning, the honest but prejudiced miners uniting with the lawless element against town organization because the military urged it. 56C:RS., *H. Doc. 2* (3901). According to Price, the call was received at most of the principal towns along the Yukon and the Cape, and all portions of the district were represented except Cape Nome, whose delegate failed to arrive in time, *Dispatch*, Feb. 28, 1900. A Juneau mass meeting declared the convention thoroughly representative, as composed of elected, true residents, *ibid.*, Feb. 10, 1900. Sitka refused to send a delegate, because of the "outrageous language" of the call, *Sitka Alaskan*, Nov. 25, 1899. This organ went so far as to term the convention a "sore-head" meeting, the illegality of which made the participants law-breakers.

³¹⁴ Douglas held the balance of power as between Skagway and Juneau. Swineford, as president of the convention, pled for harmony.

laws were framed, and a "representative from this convention" was elected to carry memorial and laws to Washington. The memorial asked for two additional judges, a delegate to Congress, added powers for the commissioners' courts, better laws for the education of white children, a code of civil procedure and a civil code, amendments to the criminal code, a general municipal and incorporation law, and extension to the district of the homestead, timber, stone, and coal laws, with modifications of the provisions for mining.³¹⁵ It was along these lines that the laws were framed. The choice for delegate was a young Skagway lawyer by the name of John G. Price. The convention failed to support a resolution backed by ex-Governor Swineford and S. Ripinsky of Haines for the organization of southeast Alaska as a regular territory, on account of the argument, by the delegate and his friends, that Congress would kill such a project and that it would entail excessive taxation. They believed in the principle of home rule and the experiment of representation without organization. Therefore Mr. Price was not instructed to work for a legislature, to the surprise of the body to which he was sent.³¹⁶

The Civil Code

Undaunted by the peculiar nature of his instructions, Mr. Price took courage from the credentials given him

³¹⁵ The account of this convention is based upon contemporary sources: *Sitka Alaskan*, Aug. 26, Oct. 28, Nov. 11, 25, Dec. 2, 1899, Mar. 3, 1900; *Mining Record*, Sept. 6, Oct. 11, 18, 25, 1899; *San Francisco Call*, Oct. 14, 1899; *Dispatch*, Feb. 28, April 7, Aug. 4, 1900; *Alaska Magazine* (Seattle) May, 1900; *Alaska Monthly* (Juneau) May, 1906; and correspondence and interviews between the author and the persons concerned.

³¹⁶ It was popularly understood that Governor Brady was asked to endorse Price's credentials and refused.

by public opinion and the convention, and set out for Washington to work for the welfare of his constituents. He did not allow the insecurity of his own position to interfere any more than necessary with his legislative program, which was largely successful. His failures must be attributed to other factors than any lack of zeal on his part, and the chief of these were the opposition of other lobbyists and the equivocal stand of the Juneau convention. By 1900 the Alaska lobby, as a "painful" outgrowth of district conditions, was apparent to all members of Congress. Particularly obnoxious was the excrescence of mining syndicate attorneys, who "purported to represent the interests of the district," until their real mission became known. Then suspicion attached to all their information and democratic members asked why Congress might not rid itself of the informers by establishing either a territorial legislature or the delegateship pledged in the party platforms of 1896.³¹⁷

The answer to these queries, particularly as to territorial government, was easy. Although he was inclined to it himself, the *de facto* delegate could not advocate territorial government because his own convention had been against it. A congressional committee, even a minority, "were not in a position to insist that these people should have local government when they did not want it." The same committee could free itself from campaign promises by the claim that the recent rise of new and inaccessible towns in the interior

³¹⁷ 56C:1S., *Cong. Rec.*, pp. 2460, 5861, 5972-74; *Sitka Alaskan*, Dec. 30, 1899; *Alaska Truth*, Mar. 30, 1900; *P. I.*, Mar. 23, 1900. Price suffered some attacks from the rear in the shape of letters to congressmen. Chairman Lacey of the Public Lands Com. received one to the effect that Price did not represent Alaska and should receive no credence. *Dispatch*, Mar. 28, 1900.

of Alaska made an election a practicable impossibility. "The attempt to hold an election in Alaska during the gold excitement [would be] something like holding a general election at a circus." The statements of the governor before the committee and the reports of the military authorities to the Department of War corroborated the committee judgment.³¹⁸ It was conceded that the Alaskans had done all they could to kill a bill for an *appointed* delegate;³¹⁹ but their demand that they be allowed to *elect* a representative without organizing as a territory lacked the legal precedent upon which Congress felt bound to insist.³²⁰

In the face of Senate and Committee opposition, a delegate amendment to the Civil Code was inserted on the floor of the House by vote of 71-21. The conference committee struck it out, saying: "The peculiar character and unsettled condition of the population of the District, the great expense of holding the election, and the areas to be covered, make it unadvisable at this time to adopt the House amendment." The conference verdict was accepted in the House (133-119) thus leaving the delegate question to another day, and territorial government quite to the far future. The opinion of Price upon this course of events was definite; Brady had killed the delegate measure by insisting that a fair election could not be held until after the Civil Code had gone into operation. Alaska would have been better off if Price and his friends in Washington had presented a solid front for territorial government, "If we had

³¹⁸ 56C:1S., *Cong. Rec.*, pp. 4167, 5970, 5974; 55C:2S., *Cong. Rec.*, p. 3083; *Alaska Truth*, Mar. 16 (quoting *N. Y. World*); *Record-Miner*, Mar. 17, 24, June 2, 1900; *Dispatch*, April 25, 1900.

³¹⁹ 56C:1S., *H. R. 1053*, introduced by Representative Grout (Ore.) and supported by Governor Brady.

³²⁰ *Alaska Truth*, Oct. 20, Nov. 3, 1899, Mar. 23, 1900; *Dispatch*, Mar. 14, 19, 1900.

done that," he said, "I am satisfied we could have had it." "There is little doubt in my mind that as soon as the more pressing needs of the territory have been provided for, the question of forming a separate territory of southeast Alaska will have to be seriously considered." This unwonted optimism on the part of Mr. Price was due to the courtesies extended him at the capital and his own nearness to his subject.³²¹

Blame could not properly rest upon Price for the failure of Congress to pass a delegate bill. The same is true of the failure to secure the immediate removal of the capital from Sitka to Juneau, a project worthy in itself,³²² but given a bad color from the political and civic rivalries attached to it. Of this demand some of the visiting congressmen had heard more than of the need for civil law; logically, as one of the few things upon which Alaskan opinion approximated unity, the demand should have been met. But the governor, who was according to his custom, in Washington, openly opposed the attempt to move him from his home and that of his business, arguing that it would be foolish to take the capital east, when population and business would soon necessitate its removal to the north and west, especially as the proposed capital lacked govern-

³²¹ *Alaska Truth*, Mar. 23 (quoting *P. I.*) Mar. 30, 1900; *Dispatch*, Feb. 12, 28, Mar. 3, 14, 16; *Record-Miner*, Mar. 24, 1900. A scheme for organizing southeast Alaska as the territory of Seward had been before the S. Com. in February. For an account of Price's earlier history and his political backing at Washington *v.* Meany (E. S.), "Alaska's Provisional Delegate to Congress," *Alaskan Magazine*, May, 1900.

³²² Sitka was "1,000 miles from the nearest road that goes anywhere, about the same distance from the nearest telegraph wire, with a steamboat mail once in two weeks, except during the tourist season: yet the seat of government of one-sixth of the entire area of the United States." Of 400 cases filed in Alaska courts during the previous year, but one was filed at Sitka. *Dispatch*, Mar. 1, 29, 1900. The capital was discussed at great length in *Alaska Truth*, Mar. 16, April 6, 20; *Record-Miner*, Mar. 10, 17, 31; *Sitka Alaskan*, Feb. 17, 1900.

ment buildings. Brady's opposition did not suffice to keep from the original Carter Bill a clause making Juneau the seat of government. But Senator Perkins saw fit to put through an amendment³²³ delaying the actual removal of the official machinery until proper sites and buildings should be available. At this all the Panhandle except Sitka was incensed; the local press expanded into reckless rhetoric; and the offending senator, but lately popular on account of his suggestions for a territorial convention, received a sad setback.³²⁴

Alaskan incriminations doubtless had no effect upon the senatorial calm; they were reflected rather upon the governor as a sort of cap sheaf to all the other grounds of dislike, alleged and real.

The political aggravation of the situation arose from the futility of the objections to him.³²⁵ This governor who accepted responsibility for the present lack of an elected delegate³²⁶ appeared to occupy heights of eminent influence unattainable by the popularly chosen representative. On the floor of the House he had been defined as "Governor Brady who represents the territory;" President McKinley had invited him to a cabinet meeting and asked him to remain at Washington during the legislative session; the New York Chamber

³²³ 56C:1S., *Cong. Rec.*, p. 3123.

³²⁴ He received a signed statement from Skagway and Juneau residents saying they could not "dissociate your public position as senator from your private position as head of the Pacific Coast S. S. Co." *Dispatch*, Jan. 23, April 16, *Alaska Truth*, Mar. 1, 2, 30; *Sitka Alaskan*, April 28, 1900.

³²⁵ Mass meetings at Haines, Skagway, and Juneau during Feb., Mar., and April of 1900, passed Brady resolutions as uncomplimentary as they were forceful. *Dispatch*, Feb. 10, 12, Mar. 3, 19; *Alaska Truth*, Mar. 16, 21. The *P. I.* copied these charges profusely.

³²⁶ This included the omission of that provision from the first Carter Bill. 55C:2S., S. 3729; *Mining Record*, Aug. 30, 1899; support of Grout's bill for an appointed delegate, 56C:1S., H. R. 1053, *Alaska Truth*, Mar. 16, 1900; failure of the Knox Bill for an elected delegate, 56C:1S., H. R. 1023; and the omission of a like feature from the Civil Code.

of Commerce had given him the floor; furthermore the military were inclined to support his contentions in their reports.³²⁷

This victorious endorsement of the governor was not at all remarkable. His opponents at that time lacked prestige and political power, and he was himself a man of known integrity. For purposes of legislation the important place was neither Sitka nor Juneau, but Washington. There, in spite of press comment to the contrary, the governor and the convention delegate confined their disagreements to the capital and delegate aspects of the program. The two men were without personal enmity and worked together in harmony and sincerity on the large aspects of the Civil Code – mutually of service to Alaska.³²⁸ In this task they had assistance from almost all the Pacific Coast and Rocky Mountain representatives, in addition to a scattering few belonging to the middle west and east.

The passage of the Civil Code was delayed by a fight over alien ownership of mining claims, as waged by the protagonists of two powerful Nome claimants.³²⁹ Debate was also used for campaign and party purposes, the Democrats urging the Alaska and Philippine measures to delay a subsidy bill. In addition technical points and Alaska peculiarities caused so much confusion that Senator Platt was led to remark: "The trouble with the senators who do not know anything about this matter is that they have to vote."³³⁰ But at

³²⁷ 56C:1S., *Cong. Rec.*, 4167, 5666; *Sitka Alaskan*, Jan. 27, 1898; "Rept. of Maj. P. H. Ray, commanding at Fort Egbert," 55C:2S., *S. Doc. 14* (3590); *Dispatch*, April 25, 1900.

³²⁸ *Dispatch*, Mar. 3, 19; *Sitka Alaskan*, May 5; *Skagway Alaskan*, April 28, 1900.

³²⁹ 56C:1S., *S. Doc. 272* (3868); *Cong. Rec.*, pp. 4415, 5873; v. also *Index* for S. 3419.

³³⁰ 56C:1S., *Cong. Rec.*, p. 4217.

length the filibustering³³¹ and the voting were done, and the Carter Bill had secured passage as a temporary measure.

The "Civil Code and Code of Civil Procedure" as finally passed bore the marks of the process by which it became law. It was a compound of a bill written by a code commission in 1898,³³² as amended and passed by the Senate in 1899,³³³ as criticised by Alaskan interests thereafter, and as finally reintroduced and amended into law in 1900.³³⁴ By it Alaska received an entire legal system for the prevention of crime and the enforcement of civil rights. The "district" was divided into three, courts being established at Sitka, Nome, and Eagle City with authority to sit elsewhere when necessary, with staffs of clerks, marshals, attorneys, etc. The judicial powers were augmented by the duty of appointing commissioners, officials previously named by the President.

Law and order were sent out to each considerable community in the persons of a recorder and a commissioner with amplified powers. Outlying localities were given the benefit of court action through deputy district clerks. In the towns the antique and cumbersome method of collecting money for public requirements by popular subscription was partially done away with by a provision for the government of municipalities. This was the incorporation law for which Price worked hard against some of the real estate

³³¹ The Democrats forced the Senate to "go through the farce of reading each and every word" of the bill's 604 pages, when the *Rev. Stat.* had been read pro forma in thirty minutes; 56C:1S. *Cong. Rec.*, p. 3274. Alaska papers commented on this formality with some humor and much disgust.

³³² 55C:2S., *S. C. Res.* 28; 55C:3S., *H. Doc.* 99 (3786).

³³³ 55C:2S., *S.* 3729., *S. Rept.* 607. (3620); 55C:3S., *H. Rept.* 1807 (3840).

³³⁴ Act of June 6, 1900 (31 *Stat. L.*, 321).

claimants of Skagway and Juneau, who had marshaled all their influence to show that Alaskans did "not really need it and would rather be without it."³³⁵ Their influence was effective in restricting municipal indebtedness to one percent of the valuation of property, thus preventing municipal ownership of public utilities. Schools, both municipal and district, were provided for; and the government subsidized the historical library and museum which had already been established under non-sectarian popular support.

Except for the Nome dispute, that part of the Civil Code in which Congress showed greatest interest had to do with the mining regulations and the business tax, as it affected fishing, transportation, and town life. The fees on fisheries were left unchanged, in spite of an attempt by Representative Loud of California to lower them.³³⁶ The tax rate on stamps also remained as before, in spite of a House amendment raising it sixty percent. A system of licenses for vessels navigating the inland waters of Alaska, was urged in the House, but was nullified in conference by a provision through which such taxation could be entirely escaped.³³⁷ Fees for small businesses essential to community life were lowered twenty-five to forty percent in eight cases. The demands for these concessions and others less successful were made frankly and openly by the interests concerned. Perhaps the most striking concession had to

³³⁵ *Alaska Truth*, Mar. 30, 1900; reporting a meeting of the Juneau Chamber of Commerce on March 29.

³³⁶ The Loud amendment was lost 30-43. Representative Warner declared that the only objections to the four cent tax came from outsiders whose constituents were poaching on the waters of Alaska; 56C:18, *Cong. Rec.*, p. 5967.

³³⁷ Representative Loud opposed the fishing tax on behalf of "my people;" *Cong. Rec.*, p. 5970. Cf. also 30 *Stat. L.*, 1336 with 31 *Stat. L.*, 331.

do with the change of policy in the disposition of the Alaska fund, from which the towns were hereafter to receive fifty percent of that which they paid in, to be used by them for the support of schools. Thus the newly incorporated communities could fill their long felt want for education; but for all other municipal expenditures they must rely upon the one percent clause. These requirements were made because Congress felt it necessary that the Federal establishment in Alaska should be supported only by taxation of such classes and interests as Congress wished to tax.

The same Congress gave a perfunctory passage to a measure extending the coal land laws to Alaska, without, however, giving it any practical application by a survey appropriation;³³⁸ and made some increases in salaries.³³⁹

Immediate Political Effects of the Klondike

The legislation of 1897-1900 and the events connected with it made certain developments in Alaska's political history stand out prominently. Southeast Alaska, by means of her third "Non-Partisan Convention" had tried an experiment in lawmaking with partially satisfactory results. Congress had accorded to the territory as a whole an abbreviated machinery for the maintenance of civil, if not civilized, existence. The judiciary, previously weak because of its wide jurisdiction, had been considerably strengthened by subdivision into

³³⁸ Act of June 6, 1900 (31 Stat. L., 658) applying Sections .2347-2352 of the *Rev. Stat.* to Alaska; *Alaska Truth*, Mar. 2, 1900. *V.* also 56C:1S., H. R. 5763, introduced by Representative Lacey, H. Rept. 561 (4023); S. Rept. 1210 (3894). The committee were not prepared to extend all the U. S. land laws but saw an obvious need for coal for transportation purposes.

³³⁹ *V.* also 56C:1S., H. J. Res. 269; J. Res. of June 6, 1900 (31 Stat. L., 722). Governor Brady was not charged with lobbying for a raise.

three major courts with many lesser ones. The fishing and transportation interests had acknowledged their concern in the state of the district politics. Finally, Alaska had secured official recognition as a pressing problem and Congress had ventured a "temporary" solution.³⁴⁰

³⁴⁰ 56C:18., *Cong. Rec.*, p. 5669.

More Troubles

Return of Price

About the middle of April, 1900, John G. Price, ex-delegate of the Non-Partisan Convention, returned to Alaska.³⁴¹ He was in good conscience over what he had helped to accomplish at Washington because the Civil Code was well on its way, with the promise of the removal of the capital, municipal incorporation, and diversion of fifty percent of the municipal fees to town purposes. When he reached home party differences and personal jealousies were laid aside for an enthusiastic welcome, marked by numerous banquets and receptions and the tender of a gold watch. Upon these happy occasions he spared no pains in an attempt to enlighten his fellow-citizens regarding the difficulties he had encountered as delegate and the means for overcoming them. He expressed the belief that Alaskans could not secure their rights as to representation and taxation without territorial government; that the wealth and economic importance of the territory justified her citizens in asking for it; that they must all instruct their party delegates for a platform demanding it. He even waxed militant: "We have been too

³⁴¹ This account of the return of Price is based upon *Alaska Truth*, April 13, 20, May 18, June 29, and Sept. 7; *Mining Record*, Mar. 31, April 21; *Record-Miner*, May 12, 19, July 7; *Skagway Alaskan*, July 7, Aug. 4; *Dispatch*, April 2, 7, 18, 21, May 9, 17, July 6, 10, 24, Aug. 6, 1900, and *Dispatch*, May 26, 1906; v. also Rep. National Convention, *Official Proceedings*, 1900, 8, 78, 85.

good . . . there has been no disturbance to cause us to be given attention . . . we have not made sufficient protest." Price, assisted by the failure of the Civil Code as passed in June to fulfill entirely the pledges made on it in April, was able to convert a number of prominent citizens to his viewpoint.

But he received small encouragement from the political conventions of his own party. The Alaska Republicans, again meeting at Juneau, May 15, were in a tumult over local jealousies between Brady and anti-Brady factions.³⁴² John G. Heid, a prominent conservative lawyer, who had but recently found it to his advantage to leave the Brady fold, was induced to support a censure of the governor, which made it possible to pass a resolution against Brady. The platform adopted by the convention demanded territorial government, removal of the executive offices to Juneau, cables and lighthouses, and a return to the former boundary. The real trouble came over the selection of the national committeeman. Price, on whom the choice of the convention rested, did not care to leave his business for attendance at Philadelphia. It was therefore necessary to pledge the delegation to the national convention for Price, and trust them to follow instructions. But when they arrived at the City of Brotherly Love, Mr. Heid secured for himself, rather than for Price, the coveted appointment, an honor for which he paid dearly.³⁴³ To cap the climax of popular disappointment the national party platform of that year made no reference to Alaska, an omission which Mr. Heid explained as due to the fear of Carter, Fair-

³⁴² *V. infra*, n. 359.

³⁴³ Condemnation of Heid was voiced by Democrats as well as Republicans. The 1900 affair helped to prevent his nomination to the federal bench in 1903; *v. Dispatch*, Jan. 22, 1903.

banks, and the "big guns" lest mention of a delegate for Alaska would inject the Porto Rican and Philippine issues into the platform. He said the senators promised him to give Alaska a delegate at the next session of Congress anyway. It appears that Mr. Heid was correct as to the senatorial attitude toward insular affairs,³⁴⁴ but his explanation failed to satisfy the "Young Men's Republican Club," which pronounced him a traitor to Price. The party schism was carried over into the next campaign.

On the other hand, at a harmonious Democratic meeting in Juneau, May 28, an Alaska program prevailed. They denounced the tax law, endorsed territorial government, praised Price, and expressed a sympathetic fellow-feeling for the Boers in their struggle for freedom. Their delegates to Kansas City in July helped to place in the national platform a radical statement: "We favor home rule and a territorial form of government for Alaska and Porto Rico." It would not be difficult to ascribe this plank to motives other than a desire to placate the Alaska democracy, which was of a peculiar quality anyway.³⁴⁵ But at least one fact was patent — there was no real difference between the territorial politicians on the subject of home rule. Each of the 1900 conventions at Juneau

³⁴⁴ The *Cong. Rec.* for the 56th, 57th, 58th and 59th Congresses shows a tendency in certain senators to associate governmental policy concerning Alaska with that concerning the Spanish War acquisitions.

³⁴⁵ Alaska Republicans were fond of ridiculing their opponents as "solid money, expansion, protection, Democrats." In 1896 the Alaska delegation at Chicago had supported Hill, a gold man, for temporary chairman and Bland for President (until the last ballot). In 1900 they explained "we are all silver people, of course, but we believe it is for the interest of the party to drop that issue." The story of their conventions of that year is told in *Alaska Truth*, April 27, May 24, June 1, 22, July 13; *Record-Miner*, May 26, June 2, July 14, 1900; v. also Dem. National Convention, *Official Proceedings*, 1900, 119, 149, and 196.

had declared a desire for territorial government, as a means of securing a delegate and getting rid of a license tax; it was protest against local conditions which gave either group strength among the people of the territory. Therefore any analysis of the home rule movement must go behind the party machine to the irritating conditions which after the Civil Code was passed, rapidly stimulated the growth of political consciousness. These irritants were partly holdovers from the old régime and partly new impulses toward home rule.

Irritants from the Old Régime

CANADA. Relations with Canada continued to distress the pioneers of southeast Alaska, especially those on Lynn Canal, because they felt themselves increasingly helpless to cope with the uncertainties of the outfitting trade and of the boundary. The summer of 1900 found the White Pass Railroad completed and Skagway made a free port of entry. These developments inspired fear that the British habit of protecting home capital in foreign investments was placing in Canadian or English hands the control of more than half the Yukon trade.³⁴⁶ Customs regulations were so unsatisfactory to the enterprising inhabitants of Skagway that they felt they were being given "a choice of loyalty to their country or assured prosperity under the British flag."³⁴⁷ Others tried to silence these apprehensions with assurances that the real thing to expect was an exchange of the Philippines for Northwest

³⁴⁶ *Dispatch*, April 3, July 26, quoting from the *N. Y. Post* a statement attributed to Deputy Asst. U. S. Treasurer Geo. W. Marlbor, *Record-Miner*, Mar. 17, Aug. 25; *Alaska Truth*, Aug. 17, 24, 1900.

³⁴⁷ *Skagway Budget*, quoted by *Alaska Truth*, April 27, 1900.

Territory and British Columbia.³⁴⁸ But this optimism failed to allay the fears of prospectors and tradesmen impatient for a boundary settlement. They knew that ever since the treaties with Russia in 1824 and 1825 it had been tacitly admitted that the line should be ten marine leagues from the coast, following its windings. They knew that since the purchase of Alaska, the United States had performed many acts of sovereignty within that area, without question until the Klondike gave Britain a desire for a port. Their alarm had been great when Canada contended, before a joint commission meeting August, 1898, that the true boundary should follow the summit of mountains nearest the coast, and when Britain proposed to arbitrate on behalf of Canada. To their joy the United States government had refused, on the ground that there was nothing to arbitrate. But before the commission dissolved, an agreement had been reached that certain points should be temporarily adopted as on the boundary.³⁴⁹

This *modus vivendi* was resented by Alaskans because it made part of the "Porcupine," a placer camp, Canadian territory. American miners had established claims there in accordance with American law. They had built a road at their own expense and otherwise acquired what they considered a vested interest in the

³⁴⁸ *Record-Miner*, Mar. 31; *Alaska Truth*, Sept. 28, quoting *Seattle P. I.* of Sept. 17, 1900. Alaskans have been inclined to share the opinion of Sen. Chas. Sumner as regards the "ignominious break" in the United States coast line on the northwest.

³⁴⁹ These points were the summits of White and Chilkoot passes, and a point upon Chilkat above Pyramid Harbor. An official summary of the boundary issue at this time is given in Gannet (Henry), "Boundaries of the United States and Territories," 56C:1S., *H. Doc.* 720 (3952) pp. 27-28. The official proceedings of the Alaskan Boundary Tribunal, convened in 1903, may be found in 58C:2S., *S. Doc.* 162 (4600-4606). For interesting sidelights on the situation *v.* Balch (E. S.), *Letters and Papers relating to the Alaska Frontier*.

region. They ignored a Royal Commission when it first came into the district, refusing at first to apply for British claim rights lest they thereby acknowledge the right of Canada to the locality. They regarded the *modus vivendi* as an evil instrument to deprive them of the right of operating in the "Porcupine" as long as there was any gold there. And for any lack of force to what they termed their "kicking" they made account by explaining that Alaskans had had "a long and severe training in the uselessness of the protest." They feared, too, that Ottawa could handle the situation better than Washington, because the members of the Canadian Parliament were better informed on Alaska and took greater interest than those of the United States Congress. "The Canadian on the border is aggressive and has the machinery for aggression. We have not. Their legislators take a keen interest in frontier matters. Ours do not." ³⁵⁰

These comparisons acquired validity from the fact of the relatively greater efficiency and democracy of the early administration in Yukon Territory. The Yukon Territorial Act of 1898, providing for an appointive legislative council had been amended in 1899 to include two elected members who were first chosen in 1900. This election proved comparatively fair, orderly, and reasonable as to cost, and was taken as proof that the same experiment would be safe for southeast Alaska, which had better means of transportation and

³⁵⁰ Such apprehensive comparisons as these are made in *Record-Miner*, Mar. 17, Aug. 11, 20, Sept. 29, 1900; Jan. 29, July 26, Aug. 23, 1901; *Dispatch*, Sept. 25, Oct. 16; *Alaska Truth*, July 20, Aug. 17, Sept. 28, Oct. 12, 26, 1900. In 1899 the mounted police were found in the "Porcupine," on the American side, ready to arrest offenders of Canadian nationality. During the previous four years they had been maintaining law and order in the Yukon country.

communication than Yukon Territory. Also the Dawson papers tended to urge Alaskans to work for home government on the ground that they were ready for it.³⁵¹ In 1901 feeling at Skagway, where the British had been allowed to maintain a customs office, ran so high that one ardent patriot tore down the customs ensign, and several organized themselves into the "American Citizen's Protective League." There were other flag incidents, extending out as far as Unalaska. In 1902 rumors of the moving of boundary monuments by Canadian officials caused another flurry, and an official investigation. But the offending office, with its ensign, was soon removed to its proper place on the international line twenty-two miles out of Skagway, the monuments were found in their proper places, and the final adjustment of the boundary in 1903 made Canada a dead issue for some time thereafter.³⁵²

NOME. Another center of irritation during the post-Klondike period was Seward Peninsula. The gold beach litigation, which had come so near to defeating the Civil Code was but a result of a wild stampede to that section, beginning in 1899. This latest excitement exceeded that of the Klondike as a placer boom and gathered momentum from preceding rushes to the north. The "Poor Man's Diggings," with its ten miles of feverish beach workers, was a splendid testi-

³⁵¹ At Dawson a home rule convention had boldly made fourteen demands upon the Dominion government, and the election had been a victory for the anti-administration forces. Regulations were also made less strict because the region was in a slump; *v. Dispatch*, Oct. 20, 31, 1900, Oct. 25, 1902; *Alaska Truth*, Sept. 28, Oct. 26, 1900; *Skagway Alaskan*, Aug. 13, 1903; *The Yukon Territory*, pp. 15-19, an immigration pamphlet issued by the Canadian Government.

³⁵² Popular impatience is described in *Sitka Alaskan*, July 13, 1901, May 31, 1902; *Dispatch*, June 27, July 27, 28, 1901, Jan. 27, Feb. 6, Mar. 15, June 2, 4, 1902; *Record-Miner*, July 12, 1901; *Prospector*, May 1, 1902.

monial to the high art of advertising. But, unfortunately, among the horde of newcomers (comparatively few of whom got what they went for) the handful of pioneers went down in defeat. Conditions were extremely favorable to the success of dishonest methods, particularly in the abuse of power of attorney for locating mining claims.³⁵³ At Nome, receiverships and naturalizations were so used by the first judge, as to cause to be perpetrated one of the most audacious grafts in mining history. It is not necessary for our purposes to describe the scandal. Rather are we concerned with its evil effects upon the political history of Alaska. It reflected discredit upon United States "law" and "government officials" as experienced in Alaska. It bequeathed a litigious heritage to subsequent office-holders.³⁵⁴

Nome temporarily drained southeast Alaska of such part of her lay and official population as could get away, leaving the remainder inclined to a jealous pessimism that foretold the rivalry which was to come between the Panhandle and the peninsula. The newer community had several serious disadvantages with which to contend, chief of which were the judicial fiasco, the necessity of calling upon the military for

³⁵³ The protest of Nome against this state of affairs is given in 56C:2S., *S. Rept.* 2032 (4065). The failure of the numerous bills which were subsequently introduced to limit the power of attorney was sometimes ascribed to the influence of congressmen who profited by that abuse; but it may be attributed as readily to the mine operators' lobby; *v.* also 56C:2S., *S. Doc.* 69 (4033) and 57C:1S., *H. R.* 78 and *H. R.* 3091, introduced by Representatives Cushman and Jones from Washington; also "The Lament of the Old Sourdough," in 56C:2S., *S. Rept.* 2414 (4067).

³⁵⁴ Newspaper accounts of the Nome affair are too numerous to list. In fiction, the story has been best told by McKee (Lanier), *Land of Nome*; in magazines, by Morrow (W. W.), "The Spoilers," *Cal. Law Rev.*, iv, 89-113, and Beach (Rex), "The Looting of Alaska," *Appleton's Booklovers Magazine*, vii, 3-12, 131-140, 294-301, 540-547, 606-613. Contemporary official

maintenance of order,³⁵⁵ and the limitation placed upon civic indebtedness by the Act of 1900. Nevertheless, Nome was among the first settlements to take advantage of the Civil Code and become incorporated, and thereafter her business interests supported some of the dominant figures in the lobby at Washington. Also, as compared with Juneau's amateurs, Nome's politicians were at this time more in the line of professional grafters.

Probably almost one-half of Nome's twenty thousand stampeders eventually added themselves to the permanent population of the territory, by passing through a repeating process which made them typical "sour-doughs." That is to say, they became of that number who, as often as they return to the states again succumb to the lure of the north (an experience better felt than described) and find their way back to Alaska in some new stampede. Thus, during the placer period of Alaska history the territory has gained and lost in population by a spasmodic process in which "cheechakos" have been leavened into homogeneity by "sour-doughs." For so large an area the inhabitants have therefore become remarkably well acquainted with each other. This has slightly lessened the difficulties of coöperation among them, and has retarded section-alization.³⁵⁶

descriptions may be found in 56C:1S., *S. Docs.* 357 (3875) and 441 (3878); 56C:2S., *S. Rept.* 2414 (4067) on *S.* 5589.

³⁵⁵ Nome was as lawless a community in 1900 as ever existed, and many frontiersmen went armed there who had never done so elsewhere in Alaska. Brigadier-General Randall, commander of the United States forces, was able to do almost nothing. During the smallpox epidemic, Lieutenant David Jarvis, U. S. N., took charge of sanitation and of quarantine. Protection of life and property was left to the individual.

³⁵⁶ Most authorities agree that the term "sourdough," meaning an old-timer in Alaska, originated from the kind of bread which the prospectors

BRADY AND JACKSON. In addition to contentions growing out of foreign relations and gold stampedes, dislike for Governor Brady and his policies was a strong irritant in political affairs of the post-Klondike period. That part of the Civil Code which registered Mr. Perkins' solicitude for "suitable grounds and buildings"³⁵⁷ prevented the immediate removal of the seat of government to Juneau. This delay, highly pleasing to the Sitkans, stirred anew in the remainder of southeast Alaska the opposition to the governor. Young Alaskans did not agree with him as to what was wise and good for the district. A class which approved of one part of his plans found plenty to criticize in another part, whether it was citizenship for natives, appointment of a delegate until population should be stabilized and a legal code put in operation, postponement of territorial government until land laws were operating successfully, establishment of an Indian reservation at Sitka, or approval of the license system as a temporary expedient. His policies as to the capital, delegates, and natives were most severely criticized.³⁵⁸

Furthermore, a great many honest Alaskans who were not interested in politics seconded the opposition to Brady. They conceded that he would have been

contrived to make without yeast. Others recall that the early explorers were given a native home-brew to which the name was applied. "Cheechako" is a northern term meaning newcomer and is derived from an Indian word of the same significance. It is interesting to compare Alaska words with Californian. In Alaska they said, "A cheechako mushed out to the creeks in the hope of getting a poke of nuggets;" in California it was, "A tenderfoot packed out to the camps in the hope of getting a sack of dust." *Sitka Alaskan*, Oct. 27, 1900.

³⁵⁷ *V. supra*, p. 178.

³⁵⁸ A detailed statement of Brady's convictions and programs is given in his annual reports, for the post-Klondike period they are as follows: 1900 (4104); 1901 (4293); 1902 (4461); 1903 (4648); 1904 (4802); 1905 (4961).

a suitable governor ten years before, because "as a missionary and an honest man" they respected him. But as "modern Alaskans" they were ashamed of him, because he seemed "as a statesman, a pilot on the ship of state . . . conspicuous for his narrow-mindedness and inability." Upon him was reflected some of the disfavor in which they held his friend Jackson, who consistently violated their prejudices by his propaganda for Indians and the "education of reindeer."³⁵⁹ His educational methods and missionary work were greatly discredited. Those inclined to humor and scripture described Jackson's policy as based on the belief that "wherever two or three Indians are gathered together there is a chance to spend money in the name of Uncle Sam." Others challenged him and his supporters to a debate upon education and his method of doling out funds for it. But behind it all was the "irreconcilable conflict" between the old Presbyterian missionaries and the large new population that had invaded the territory and intended to control its affairs. The newcomers thought that the time had come "when civil government should cease to be a mere appendage to church government." They regarded Brady and Jackson as survivors of the old régime.

The "survivors" seemed to be having things pretty

³⁵⁹ *V.* n. 342. Details as to the opposition to Brady and Jackson are very numerous; some of the most interesting are given in *Alaska Truth*, Mar. 9, April 6, May 11, 24, June 15, July 6, 1900; *Sitka Alaskan*, June 23, Oct. 27, 1900, Jan. 19, 1901, July 1, 26, 31, 1902; *Prospector*, Aug. 28, Sept. 25, 1901; *Record-Miner*, June 7, 1901, June 19, 1903; *Dispatch*, April 2, May 7, 17, 1900; Jan. 8, 11, 14, 30, Feb. 1, 21, 23, Mar. 16, May 16, Sept. 7, 1901, Jan. 15, 28, 1902, Dec. 18, 1903; *Skagway Alaskan*, Nov. 24, 1903, and many previous issues. The general feeling of the Panhandle toward Brady was also reflected in the *Tacoma Ledger*, *Seattle Argus*, and *Seattle P. I.* The *Dawson News*, July 27, 1900, ascribed the opposition to Brady to the commercial interests. This was more true of the small business man than the large one.

well their own way when, in June, 1900, in spite of censure from both territorial party conventions of that year, Brady was reappointed,³⁶⁰ and when their henchmen enjoyed the patronage accessory to the census. These events were explained on the grounds of powerful Presbyterian support, and lack of representation in Congress, an explanation which served to strengthen the desire for a delegate.

However, it should be borne in mind that there was a more conservative faction, though a relatively diminishing one, which was inclined to absolve Jackson and Brady of part of the blame for Alaska's ills. These pointed to a report from Price, while he was yet at Washington, that Doctor Jackson and his office had treated the "whole Alaska matter" with perfect fairness, and had taken no part in it except to "help where [they] could in school matters."³⁶¹ Gradually territorial development turned attention in another direction, and for a time less was said of Jackson and Brady. This process of forgetfulness was assisted by the fact that the municipalities obtained control of their own schools and the governor became more cosmopolitan in understanding and less conspicuous in administration. As for the location of the capital, the issue was temporarily set aside by the removal of the marshal's offices to Juneau in 1900, and the issuance of bids for a courthouse to be built at the same place.³⁶²

³⁶⁰ His own convention, the Republican, split violently into Brady and anti-Brady factions. *Dispatch*, Mar. 16, April 14, May 17; *Sitka Alaskan*, June 2, 23; *Alaska Truth*, June 8, 15; *Skagway Alaskan*, May 31; *Douglas Isl. News*, June 3; *Dawson News*, July 27, 1900.

³⁶¹ *Record-Miner*, Mar. 24, 1900, a paper with church sympathies.

³⁶² *Sitka Alaskan*, Sept. 8, 1900; *Dispatch*, May 31, Oct. 3, 1901; *Record-Miner*, Sept. 20, 27, Oct. 18, 1901; Feb. 8, Mar. 22, 1902; *Skagway Alaskan*, Feb. 24, 1903.

New Impulses toward Home Rule

TAXATION. Sometimes the press urged Alaskans to divert their attacks from the hierarchy to the license regulations, as a better investment of time and reasoning. The settlers scarcely needed urging to object to the peculiar fiscal system which the Criminal Code of 1899 had first imposed upon them. Their protests had effected two changes in the system when the Civil Code was enacted in 1900; namely, a decrease in the fees exacted of several small businesses, and the granting to incorporated towns of one-half their federal fees for expenditures on schools. But these concessions failed to satisfy, as making no provision for any civic activities except education, and as giving the towns but poor return for the large and growing sums annually paid by their citizens directly to the government. Violent protest, especially from the Panhandle, was the result;³⁶³ and the next Congress was impelled to amend the tax law again, giving the towns permission to expend their half of the federal fees upon other projects in addition to schools.³⁶⁴

These concessions again stopped short of silencing protest. Demands were made, seconded by the governor, that the territory should direct for itself the expenditure of an even larger part, if not all, of the federal fund.³⁶⁵ Some groups still protested their inabil-

³⁶³ The volume of business was vastly on the increase at this time, as indicated by the customs receipts, which in 1900 exceeded expenditures for the first time. The popular outcry against the taxes was well illustrated in *Dispatch*, April 24, 25; *Record-Miner*, April 7, July 14, Oct. 27; *Alaska Truth*, Mar. 2, 9, 1900.

³⁶⁴ 56C:2S., S. 5573, S. Rept. 2032 (4065) H. Rept. 2854 (4214). The practical workings of the taxation policy of that period are interestingly described by McElwaine (E.), *Truth about Alaska*, 292-297.

³⁶⁵ The municipalities obtained control of their own federal tax funds,

ity to understand how so "direct, special, and un-American" a tax could continue to be imposed upon "such an intensely American community," in spite of the fact that the Supreme Court had declared the law constitutional.³⁶⁶ Others reminded their compatriots that Alaska stood no chance of having political capital made out of her affairs so long as she had no vote, not even a delegate to Congress. The general conviction among northerners that theirs was a clear case of "taxation without representation" determined them to capitalize the situation. The more moderate bent their energies upon the campaign for a delegate, for which there was reasonably strong hope. The more radical started a campaign of education regarding home rule, insisting that territorial government would lessen taxation, at the same time satisfying the democratic instinct for local control of it. It cannot be said that the territorialists equalled in numbers the group which contented itself with demanding simply the amendment of old laws by Congress, on the basis of recommendations to be made by a delegate. Each group, however, increased in active membership and gained much of its strength from the status of taxation, as it was understood in the new municipalities. In the towns most of the discussion took place. There the first exercise of the franchise, in the conduct of city government, was enjoyed. Assuredly, municipal incorporation ranked second only to taxation, as a political impulse toward home rule.

MUNICIPAL INCORPORATION. That section of the Civil Code which provided for municipal incorpora-

without restriction as to expenditure, by Act of April 28, 1904 (33 Stat. L., 533).

³⁶⁶ *Record-Miner*, May 10, 31, 1901.

tion was so decided a step forward along the line of home rule, that the more populous centers were not slow to take advantage of it. According to the census of 1900,³⁶⁷ there were five sizable towns in Alaska, four in the Panhandle, Skagway, Juneau, Sitka, and Douglas, and one on Seward Peninsula, Nome. All of these places felt the urge for city government and secured it before the year was out. The older towns, Sitka, Juneau, and her neighbor, Douglas, had long been conducting their affairs around the nucleus of fire protection, on the popular subscription plan; therefore, they had acquired an aggregate of community feeling which made further coöperation comparatively easy. The newer places, Skagway and Nome, were suffering so intensely from the ills consequent upon their mushroom growth that they were naturally forced into city organization almost as quickly. It was at Juneau that the first legal election was held, on the order of the district court for a vote on liquor licensing.³⁶⁸ The same town was also the first to vote on incorporation, thus setting an interesting example of pioneer adaptability. As it happened, the framers of the incorporation clause had ignored the extreme rarity of land title in Alaska by requiring each city elector to be "the owner of substantial property interests in the corporation."

³⁶⁷ According to this census, the total population of Alaska was 63,592 in 1900, as compared with 32,052 in 1890 and 33,426 in 1880. Of the 1900 population 30,507 were white and of these 27,307 were males. The cities were Nome, 12,486; Skagway, 3,117; Juneau, 1,864; Sitka, 1,396, and Douglas, 825. The Nome census included the beach stampeders and other errors made figures elsewhere unreliable. "Commercial Alaska in 1901," *H. Doc. 15*, part ii (4315) pp. 3921-4038.

³⁶⁸ *Dispatch*, June 23, 28, 1900. The vote favored saloons, 125-5. The Juneau of this period was described by the *Washington Star*, quoted by the *Dispatch* of May 2, 1900, as "Parisian in style—wide open—boasting 19 saloons, 45 telephone subscribers, 10 wagons, 1 buggy, 25 horses, 20 bicycles, and a window-trimmer earning \$125 a month."

When the townspeople held a mass meeting the day before election for the purpose of nominating office-holders, they repaired the congressional oversight by interpreting the law to mean ownership of personal property and chattels. On this basis the cause of incorporation was overwhelmingly victorious, by a vote of 161-19, in spite of rumors of opposition from mine-owners.³⁶⁹ In like manner the other centers followed suit, with lesser communities eager to imitate as soon as possible. Thus the force of public opinion was relieved from sole responsibility for municipal government, and with elections to office, "Alaska had real politics for the first time." The type of "real politics" developed in the conduct of Alaska municipal affairs vitally affected the home rule movement, by encouraging personal partisanship.

PERSONAL PARTISANSHIP. Alaska has never been the home of strong party feeling, but it has nurtured a very bitter type of partisanship, bitter because Alaska is by nature sectional, and no political organization has yet been able to build itself up to the point of dominating Alaska's politics and patronage, at home or in Washington. This fact is well illustrated by the history of the patronage. The filling of almost every appointive office has been marked by a futile cycle of partisanship. A vacancy becomes known; there follows first an Alaskan outcry against the appointment of any "carpetbagger;" second, consideration by the executive of various Alaska nominees; third, violent

³⁶⁹ The smallness of the vote at Juneau was accounted for by the requirement of one year's residence in the district. For purposes of incorporation each community claimed a larger population than it was willing to acknowledge for purposes of determining how high saloon license fees should be. The above account of the early incorporations is based upon: *Dispatch*, June 26, 29, 30, July 23, Aug. 9, 24; *Record-Miner*, June 23, 29, 30, Aug. 17, 24, 25; *Alaska Truth*, June 18, 22, and 29, 1900.

protests against the appointment of each; fourth, absolute failure of Alaskans to create an impression other than that of disunity and besmirched character; fifth, appointment of an unknown outsider, probably a "roughrider," if in the day of Roosevelt;³⁷⁰ sixth, attacks upon the incumbent in office; seventh, another vacancy, the "removee" settling down to a life of thorough respectability and reasonable popularity in Alaska or Seattle.

Sometimes the cycle has been broken. The incumbent may serve out his term because his state or corporation backing is strong enough to neutralize the attacks upon him. Or he may be a man of such dominant characteristics that he thrives upon abuse, inspiring as much respectful fear as hatred. In any case the significant results are the same: issues are obscured, men are discredited, and both time and money are wasted in bad legislation. Then just how has this partisanship affected the home rule idea? It has nourished the idea and fostered it so carefully as to make it prematurely prevalent. In so far as political rivals could exploit it as an issue to their personal advantage home rule was bound to be made the more quickly an issue in Alaska. Whether a convention be Democratic, Republican, or reputedly non-partisan makes no difference. All conventions debate the need for a delegate or for territorial organization; but the vote in them accords, as we shall see, with the status of the majority of the members' pocketbooks. Such is the personal and economic nature of this home rule movement.

MONOPOLY. Partisanship in Alaska, and inevitably the home rule movement also, have long been sensitive to corporate influence. The conditions of Alaskan

³⁷⁰ Pennsylvania appointments selected by Senator Quay were noticeable in the Alaska patronage of the post-Klondike period.

economic and political history, her routes of commerce, and the distribution of her resources have always been such as to foster the growth of monopolies. Therefore it has naturally followed that the keynote of Alaska's history has been her natural resources and the attempts made by individuals and corporations to obtain a free hand in their exploitation. As has been shown, the interests long opposed home rule on the grounds of excessive taxation. But it appears that the promulgation of the conservation idea was to bring about a slight reversal of alignment in the cases of such interests as came to believe their chances for exploiting the territory would be increased by an access of autonomy in the government of it. It was on such grounds that the conservationists were to claim that the honest democrats were assisted in their efforts for home rule by predatory corporations, and that home rule should therefore be opposed because of its possible usefulness to certain powerful economic institutions. These institutions can be mentioned only in their outstanding aspects as their influence comes to be felt.

By the beginning of the twentieth century Alaskans in general understood that a number of congressmen were personally interested in the salmon canning business, and had effected a consolidation strong enough to control the market and remain impervious to attack from either independent operators or government investigators.³⁷¹

Alaskans in general also understood that the 1900 rate war among the steamship companies had passed its

³⁷¹ Howard M. Kutchin had been detailed as special agent to investigate the industry, and had reported upon the unscientific practices which were destroying the salmon supply; *v.* "Rept. on the Salmon Fisheries of Alaska, 1901," 57C:1S., S. Doc. 138 (4231). Alaska grand juries usually commented upon the condition of the fisheries in their reports, as especially noted in *Sitka Alaskan*, Jan. 5; *Dispatch*, Jan. 25; and *Record-Miner*, Jan.

climax, and had resulted in an effective combination in restraint of trade. Freight rates, always a problem, henceforth remained an insolvable one, except at such times as a brief plenitude of business attracted new competitors into the trade. As far as steamship business is concerned Alaska only at sporadic intervals has known real competition.

Thirdly, Alaskans in general understood that the merchants of the ambitious metropolis of Seattle had been so quick to profit by their advantageous location that they had outstripped their Canadian, Californian, and Oregon competitors. They were well on the road to monopolize such profits as might accrue to the city which became Alaska's chief port of entry into and exit from the United States. Their Chamber of Commerce had instituted those Alaska devotionals which have since been its chief exercise. Under the tutelage of that organization, groups of like purpose such as the "Washington-Alaska Miner's Association" (formed January, 1901) Seattle General Stock Exchange (opened November 15, 1901) the "Alaska Club" (formed September, 1903) and the Arctic Club (April, 1908) were assembled for the benefit of Washington investors in Alaska developments.

Quick upon the heels of the economic adoption of Alaska by Seattle business men, came the political adoption of that territory by Washington politicians. Not a senator or a representative from the "evergreen" state but took northern affairs much to heart, as those of a quasi-constituency. For Seattle's investments, the pioneers have never lacked appreciation; for the political services of the Washington contingent, they have

29, 1901. The story of the formation of the Alaska Packers' Association is told in 64C:1S., H. Com. on Merchant Marine and Fisheries, *Hearing on H. R. 9528*, June 8, 1916.

also usually been grateful; but not infrequently Alaskans, many of whom hail from the Sound country, have expressed dissatisfaction³⁷² with Seattle's assumption of sole proprietorship over the northern trade, and with the tendency of Washingtonians to monopolize Alaska patronage.

Like the canning and transportation combines, Seattle business soon acquired a vested interest in Alaska which demanded the closest possible attention to the policy of Congress and the administration as affecting that interest. Insignificant and few indeed would be the Alaskan issues which could be settled without consulting the wishes of these highly organized combinations. The effect of their interference has been constantly evident in the home rule movement. The interaction of these forces with the others, old and new, at work in the Panhandle and Seward Peninsula, has been such as to punctuate the home rule movement with contradictory incidents.

*The Fourth Non-Partisan Convention: A Dismal Failure*³⁷³

From the foregoing explanation it can be readily understood why the post-Klondike period was a time

³⁷² Typical of the early comments along this line are the following from the *Record-Miner* of Juneau: "Probably no city on the coast has made so much in proportion to its size out of the Oriental and Alaska trade as has Seattle;" Mar. 22, 1901. "Sometimes the spirit of interest is manifest, but when closely looked into there is always seen a string of dollars and cents behind it all," June 21, 1901. The same paper charged Seattle with refusing to make real investments in Alaska, while confining herself to "selling lots at Chicago prices and collecting rents on a Klondike saloon basis;" Dec. 6, 1901.

³⁷³ Except where otherwise noted it should be understood that this account of local events and public opinion is based upon an analysis of contemporary source material; for the conservatives, *Record-Miner*, *Valdez Prospector*, *Sitka Alaskan*; radicals, *Skagway Alaskan*, *Valdez News*; moderates, *Dispatch*, *Douglas News*.

when interest increased in the home rule issue, the question whether Alaska should have a delegate and territorial organization, either or both, as a whole or in part, at once or later. In 1900 the movement was confined mostly to debates, held first at Skagway, then at other Panhandle towns and Nome, on the subject: "Resolved that a territorial form of government will be beneficial to Alaska." If the debate were held at a meeting of a commercial club, the verdict was often negative; if at a public mass meeting, more frequently affirmative. Straw votes galore were taken, with varying results. The *Dispatch*, a prominent Juneau daily of moderate tendencies, made an early attempt to measure public opinion by sending³⁷⁴ to leading newspapers and people a questionnaire on territorial government; but it failed to publish whatever replies were received. Public opinion in 1900 was like a pyramid, the broad base of which measured a practically unanimous desire for a delegate. The superimposed sections of the pyramid tapered off through the following shades of opinion, beginning at the bottom: desire to elect the delegate, willingness to accept an appointed delegate, desire that the Panhandle should be given separate territorial government, and desire that Alaska as a whole should be organized as a single territory. Opinion also shaded according to the time when people wished these things to happen. It was tacitly admitted that home rule was bound to come, but each layer of the pyramid represented the attitude toward the immediate fulfilment of each particular stage.

Unquestionably the majority of the pioneers were opposed to the immediate fulfilment of the Democratic campaign pledge,³⁷⁵ of territorial government

³⁷⁴ Aug. 25, 1900.

³⁷⁵ *V. supra*, p. 187. According to the *Skagway Alaskan*, (quoted by

for Alaska as a whole, for they inclined to the belief that a delegate would so open the eyes of Congress to the inequalities of the Civil Code, popularly called the Carter Act, as to secure a speedy and satisfactory amendment of that law, and that nothing further would be necessary. A minority, on the other hand, insisted that territorial organization for the whole or a part of Alaska was the only sure method of curing Alaska's ills, for experience³⁷⁶ had taught them scepticism as to the willingness of Congress to give Alaska a delegate before she was organized, and as to the probability of a delegate's being able to secure a proper amendment to the Carter Act. In 1901 the leadership of this group was assumed by the Skagway Chamber of Commerce, which appointed a legislative committee that secured the coöperation of the Ketchikan and Valdez Chambers in urging territorial government. The same committee canvassed Skagway and reported the sentiment of that town to be favorable to the project.³⁷⁷ As a Rivers and Harbors Committee from Congress was coming up that summer, it was hoped to make an impression on its members and strenuous efforts were made to get a

the *Valdez Prospector* of May 22, 1902) if southeast Alaska and Nome were given but one delegate between them it would amount to a "yoking of the Siamese Twins." According to the *Nome Nugget* (quoted by the *Valdez Prospector* of Aug. 14, 1902) pending the time when Alaska should be made into several territories it should be governed by a council of about twelve members who should pass local laws and make recommendations to Congress. Colonel Sutherland, President of the Perseverance Mining Co., and representative of the Juneau Chamber of Commerce at Washington, said that seventy-five percent of Alaska's residents were opposed to territorial government; ex-Governor Swineford, spokesman for the small prospectors, gave an equal percentage in favor of it.

³⁷⁶ The Knox bill for an elected delegate had gone no further than a favorable House Committee report, v. 56C:2S., H. R. 13770, H. Rept. 2665 (4213).

³⁷⁷ The report of the legislative committee of the Skagway Chamber is contained in *Dispatch*, July 2, and *Sitka Alaskan*, July 27, 1901.

convention together. But these efforts failed for the simple reason that Juneau, Douglas, Sitka, and Treadwell refused to support them. As a theoretical principle home rule secured unanimous approval. As a practical program, its financial implications troubled Alaska business men and led them to counsel postponement.³⁷⁸

In 1902 insistence on the part of the minority thrust the Panhandle into a non-political campaign of education on the issue. In each politically active locality a "Territorial Club" was organized, without restriction as to membership, for the avowed purpose of securing all kinds of information as to what form of government was best fitted to Alaska and the probable effect of the territorial form upon business and community life. The territorialists had faith, apparently, that the campaign would demonstrate the economical nature of home rule.³⁷⁹ Such was not the outcome, and that for two reasons. Early in the campaign the Superintendent of the Treadwell Mines, Joseph McDonald, came out against the immediate inauguration of home rule and shortly thereafter the Seattle Chamber of Commerce gave it a temporary stamp of disapproval.

Superintendent McDonald was a very dominating character, not only at Treadwell and the neighboring towns of Juneau and Douglas in which resided the one thousand one hundred and fifty men on his payrolls, ninety-five percent of whom were voters,³⁸⁰ but also

³⁷⁸ The territorial movement of 1901 is described in *Dispatch*, July 2, 11, 18, 31, Aug. 11, 22, 24, 30; *Record-Miner*, July 5, 12, Aug. 16; *Sitka Alaskan*, Sept. 14, 1901. It is interesting to note that the visiting congressmen did not land at Skagway and would not have done so at Juneau had their steamer kept in good repair.

³⁷⁹ The organization of the Clubs is described in *Dispatch*, April 2, 3, 5, 8, 9, 11, 1901.

³⁸⁰ *Dispatch*, April 9, 1902.

among all men of his class and those dependent upon them. When asked by the *Dispatch* for an expression of his opinion on the question at issue he replied in an open letter which was an excellent brief for the status quo. He had advices leading him to believe that Congress would enact a territorial law if convinced that the people desired it. Therefore he urged those with business interests at stake to inform Congress of Alaska's true nature: first, that she lacked "a settled population, engaged in diversified productive industries, which make the burdens of local government bear equally upon the people; second, that her only industries were mining and fishing, which carried the transportation burden and could not afford additional taxes; third, that as the whole interest of the fisheries was to escape the burdens of government as far as possible, the only industry left to meet expenses was that of mining, which was yet in a formative state, with only six mines, exclusive of the short-lived placers, yielding a return on investments; fourth, that the shifting nature of Alaska's population would result in the filling of the offices by men without permanent interest in the region and that they were the ones desirous of securing territorial government; fifth, that territorial government must greatly retard the future development of the country."³⁸¹

McDonald's communication had an immediate effect. Everywhere in the Panhandle except Skagway and Ketchikan, chamber of commerce meetings took the cue from him. Along the Yukon, so report had it, the miners entertained opinions similar to his.³⁸² At

³⁸¹ The McDonald letter was printed in *Dispatch*, April 9, 1902. The same paper printed a similar communication from E. H. Hillyer to whose opinion weight attached from his previous experience in Wyo., Col., and Ariz., *Dispatch*, Dec. 9, 1902.

³⁸² *Dispatch*, Aug. 22, and *Valdez Prospector*, Sept. 11, 1902, quoted the

Juneau, a mass-meeting hastily called by the conservatives, on April 10, undertook to set the largest and wealthiest settlement of the district on record as endorsing the McDonald position, by arranging for a gathering on April 14 of "business men and property holders" to consider resolutions on the subject. This plan was characterized by the radicals as a secret attempt to clinch the argument by hasty and dishonest means. They pled for fair debate, asking that the meeting be open to "clerks, mine-workers, and prospectors." A reply to McDonald was made by W. K. Delaney, ex-customs collector, ex-district judge, and ex-mayor, who had earned the title of "Old Roman" for his espousal of home rule. He asked people to realize that the investigation of the issue as planned by the Territorial Club would require time and patience. He alluded to the fact that industrial conditions at Juneau and Skagway were somewhat stagnant, and attributed part of the hardship to the "infamous tax law." He declared that he for one was open-minded, and all should be, in order to see their way clear out of their unhappy state. Delaney did not maintain, as had Swineford, about a month previously,³⁸³ that Alaska was well prepared to support territorial government because its cost would be less than the license tax then in force. Nor did he draw attention to the territorialist argument that territories which went badly into debt did so because they failed to tax powerful corporations, and that the amount of capital invested in Alaska had increased 3,357 percent in the previous decade.

When the meeting convened on April 14 a committee of three was ready with resolutions declaring that

Rampart Forum to the effect that Yukoners thought even the southeast coast too thinly populated for territorial government.

³⁸³ *Record-Miner*, Mar. 1, 1902.

though the sentiment was in favor of territorial government, it was as yet impracticable, and passage of pending legislation ³⁸⁴ would suffice. But the Territorial Club was also ready, the doors having been opened to the general public, and with Swineford to assist they succeeded by a large majority in laying the resolutions on the table.³⁸⁵

The same divided counsels marred the deliberations of the Seattle Chamber of Commerce, and therefore those of the Trans-Mississippi Commercial Congress, to which the Seattle Chamber felt itself responsible on northern affairs. The Seattle body hastily instructed its delegation to the Congress in favor of territorial government, and one of its members, Donald Fletcher, on that stand attacked Governor Brady as an exponent of oppression and the tool of monopolies, because his report for 1901 was not favorable to it. F. B. Thurber, who had been private secretary to Cleveland during his second term, defended Brady; but the closing session of the Congress enthusiastically passed resolutions favoring territorial government. Then Brady addressed the Seattle Chamber, in McDonald fashion and that group repudiated the action of their delegation at the Congress; they also prepared a report and memorial to the United States Congress, stating that

³⁸⁴ The most important features of the pending legislation were bills for a delegate, three hundred and twenty acre homesteads with special survey regulations, diversion of all municipal fees into the town treasuries, enlargement of city functions to include a magistrate, private incorporation, sale of coal lands, and removal of customs office to Juneau. Measures for all of these purposes except the delegate, coal-land, and customs office, passed, in addition to appropriations for lighthouses, cable, surveys, etc. This practically meant that the 57th Congress satisfied most of the demands of the Chamber of Commerce at Juneau as voiced in 57C:1S., *S. Doc.* 238 (4235).

³⁸⁵ The meetings of April 10 and 14 are described in detail by *Dispatch*, April 11, 14, 15, 21, 1902.

their previous action was unwise, inasmuch as Alaskans were themselves undecided and divided.³⁸⁶

In spite of these reverses the Territorial Club movement of 1902 can not be termed a failure, for its activities strengthened the demand for a delegate. On this proposition, J. W. Ivey, politician and ex-collector of customs, came strongly to the fore as an ardent lobbyist. He encouraged numerous commercial bodies to outline programs of legislation and secured endorsements as their representative at Washington. His instructions were usually for a delegate, land laws, restriction of power of attorney, protection of fisheries, local expenditure of the license funds and government appropriations for aids to transportation and communication. His endorsements came from groups as diverse as the Valdez Chamber of Commerce, the Nome Republican Central Committee, and the Nome Non-Partisan Political Committee. Ivey showed considerable skill as a lobbyist and received much of the credit, for the Alaska measures passed by the Fifty-seventh Congress.³⁸⁷

But there was one measure of considerable importance on which he failed to obtain final action. That was a delegate bill, introduced by Representative F. W. Cushman of Tacoma, Washington,³⁸⁸ and its failure

³⁸⁶ Special comment upon the fracas at the Commercial Congress was made in *Dispatch*, July 24, 26, Aug. 5, 21, 25, 28, 30, Sept. 4, 19; *Sitka Alaskan*, Sept. 13, 20; *Valdez Prospector*, Aug. 28, Oct. 2, 1902. V. also Trans-Miss. Commercial Congress, *Official Proceedings*, 1902, 48-79, 202, 221-224, 276. At the 1904 meeting of this body the delegation from Alaska was led by Governor Brady and the Alaska Resolutions were limited to the advocacy of homestead and survey improvements; v. *Off. Proc.*, 67, 163.

³⁸⁷ V. *supra*, n. 384.

³⁸⁸ The attempt of Cushman to put through a bill for an elected delegate is one of the interesting stories of the 57th Congress, but too detailed for narration here. V. 57C:1S., H. R. 9865, H. Rept. 434 (4401); 57C:2S., H. R. 9865, H. R. 16653, S. Rept. 3298 (4412).

was undoubtedly due to excessive lobbying. The Alaska membership in the "third house" at the Fifty-seventh Congress varied from twelve to thirty at different times, most of the gentlemen being in attendance upon special interests. These private interests disliked all schemes tending to raise the tax rate or broaden its application. They classed the Cushman bill for an elected delegate as a design of such an insidious nature. Therefore, although political conditions were such as to make it impossible for them to prevent his measure from passing the House, they persuaded the Senate Committee on Territories to substitute for it a bill for an appointed delegate. That measure was in the nature of a filibustering device and went no further than a favorable committee report.³⁸⁹ As a protest against this outcome Ivey collaborated with Representative William Sulzer of New York in the writing of a bill for territorial government introduced as a "feeler" for public opinion late in the session.³⁹⁰

The action of the Senate Committee could not be construed as anti-administration, for the reason that Roosevelt, in recommending a delegate, had failed to

³⁸⁹ *S. Rept. 3298* (4412). Senator Beveridge received much of the blame for this outcome, in addition to Senator Quay, who was thrusting other legislation aside in favor of his Arizona statehood bill, and who had been advised against territorial government by his appointee at Nome, Judge Moore. Alaskans could understand how a majority of the Senate Committee could believe an election impracticable; but they were inclined to think the counter suggestion, for a commissioner appointed by a group of five territorial officers who had themselves received their posts by appointment, worse than nothing. Their experience with "carpetbaggers," as they called them, had been unfortunate.

³⁹⁰ 57C:2S., *H. R. 17515*. This exploit cost Ivey the support of some of his more conservative Chamber of Commerce endorsers, particularly Juneau. When Sulzer visited Juneau to find out how his bill was liked, the summer of 1903, he was presented a set of resolutions about the game laws. "What Sulzer thought (of Juneau) only God and Sulzer know;" *Douglas News*, Aug. 19, 1903.

specify the manner in which that individual should be chosen. Alaskans acquired the notion, that Roosevelt wished to imitate the Philippine Commission plan in the local government of Alaska and the Porto Rico resident commissioner plan in Alaska representation in Congress.³⁹¹ In this matter Taft, then governor of the Philippines, may have been influential. But the northern pioneers refused to classify themselves with the inhabitants of any recent Spanish accession; and were grievously disappointed and surprised at the failure of the Cushman bill.

The closing of the session without the enactment of a delegate law ended a truce which the territorialists had made with their opponents pending the passage of the Cushman bill. This truce had been the result of an argument by a group of moderates that if they would all put their shoulders to the wheel for a delegate, they would thus obtain a chance to demonstrate that elections were practicable, and that would be a long step toward territorial government. The failure of the scheme demonstrated the futility of asking for a delegate before organization. However, the favors which the Fifty-seventh Congress had dispensed to the municipalities met the desire for home rule as far as it applied to control of city license fees and local misdemeanors.³⁹² The conservatives were now ready to argue that with home rule in the towns, a citizen com-

³⁹¹ Cf. Message of Dec. 21, 1902. Roosevelt had indicated a desire to inform himself on northern affairs and had often evinced cordiality toward Alaskans, who understood him to have promised them a delegate. Valdezians had honored themselves by presenting him a moose-head for the state dining-room.

³⁹² Act of Mar. 2, 1903 (*32 Stat. L., 944*). This empowered the townspeople to vote upon the expenditure of the money collected from them as federal fees; and to elect city magistrates before whom were tried the petty cases previously heard in the district courts by an appointed judge.

missioner at Washington, and carpetbaggers nowhere, all would be well and territorial government unnecessary.

Inasmuch as the citizen commissioner was not forthcoming and the carpetbaggers showed no inclination to move, the territorialists were by no means bereft of ammunition. They were able, therefore, to reorganize the clubs of the previous year³⁹³ changing the name to Citizens' League. The object of the league was variously put by different members of it. In the main, it was an attempt to get progressive Alaskans together that they might present a united front³⁹⁴ to the committee which the Senate was sending up for the information of the Fifty-eighth Congress. This committee had been dispatched in response to a resolution introduced by Senator Beveridge, who in turn took the cue from Roosevelt.³⁹⁵ The President had also paid flattering attention to Alaska when on a visit to Seattle in May, 1903, alluding to her financial and political future in generous terms, all of which heartened her people immensely, each interpreting the beautiful words and phrases to suit himself.³⁹⁶

³⁹³ The *Skagway Alaskan* (quoted by *Dispatch*, Jan. 31, 1903) stated that the list of territorialists increased fifty percent pending deliberation on the Cushman bill and was increased by three hundred and fifty names soon after Alaskans learned of the plan for an appointed commissioner.

³⁹⁴ In the Citizens' League an effort was made to coordinate the local societies by setting up a representative central body. The leadership included new converts besides the former enthusiasts, a number of whom held the Democratic faith.

³⁹⁵ 58C:Special Sess. of Senate, *Cong. Rec.*, pp. 120, 124; Message of Dec. 2, 1902. The Cushman campaign had added considerable to the store of information concerning Alaska, giving her a place of importance in the national economy. The visiting senators were Dillingham (Vt.), Burnham (N. H.), Nelson (Minn.) and Patterson (Col.).

³⁹⁶ At Seattle Roosevelt was presented a gold pan (twenty karats fine weighing twenty ounces) and a book of passes to Alaska, bound in gold. There he pledged himself to support a delegate bill, with the prophecy, "men of my age will not be old when Alaska becomes a rich and populous state."

Meanwhile, the Citizens' League worked arduously to build up the "united front" with which to meet the senatorial scrutiny. The Leaguers courageously attempted to ignore the charges that they entertained such ulterior motives as attacking local officials and seizing Republican patronage for Democrats; they concentrated their energies upon unity. But all to little avail. The visiting senators spent the major part of their time in sparsely settled regions,³⁹⁷ including the Yukon interior, and when they did arrive in a populous locality most of their points of contact were conservative. The territorialists as a group showed a deplorable lack of courage in "speaking up in meeting," in spite of the informal nature of the senatorial conferences. They were also unable to perfect their organization or secure the coöperation of those outside of it.

Contrariwise, a number of the mine owners and operators, as well as the government officials, were personally acquainted with the junketers and found them quick of comprehension as to their point of view. The investigation, therefore, was not conducive to any radical legislation.³⁹⁸ It conclusively proved that Alaska was a contradiction,³⁹⁹ and placed the weight of the argument on any given point on the side of the conservative faction. The far-reaching effects of the trip upon legislation may be surmised from the fact that neither Nelson nor Dillingham nor Burnham left the

³⁹⁷ According to J. S. McLain (of the *Minneapolis Journal*) who accompanied the junket as a friend of Senator Nelson, "We heard a great deal about [territorial government] in southeast Alaska, at Valdez, and something at Nome, where opinion was about evenly divided, but in the interior the subject was scarcely mentioned." *Dispatch*, Aug. 20, 1903.

³⁹⁸ For example, the Juneau Chamber of Commerce took a vote upon territorial government in the presence of the junketers. It resulted in a tie, broken by the chairman in opposition to organization. At Nome the vote had been 12 for, 11 against.

³⁹⁹ For the Rept. of the Committee, *v.* 58C:2S., *S. Rept.* 282 (4570).

Senate before 1912. They assumed the rôle of Alaska patriarchs, setting themselves up as authorities on all subsequent legislation, and basing their judgments in large part upon Alaska as they saw it in 1903.

Ultimately, the junket discouraged non-partisan coöperation, for the senators asked Alaskans to unite upon a harmony program, and when that was attempted it resulted in dismal failure. The Convention of 1899 had been canonized in the hearts of many as an example of what could be accomplished by coöperation. The district central committee named by that meeting was considered the legal source from which a call should come and was finally prevailed upon to issue a summons for an all-Alaska representative body to meet at Juneau, October 26, for the purpose of uniting upon a program for congressional action. One hundred and thirty-six delegates were apportioned to the various sections, to be chosen as seemed expedient. When the time for the meeting arrived, factional intrigue made it a farce. The delegates from the Yukon and from Skagway were delayed by repairs to their steamer.⁴⁰⁰ Thereupon the conservative group, fearing that a full representation of all sections in the convention would lead to the endorsement of a radical program,⁴⁰¹ went ahead without waiting. Under the leadership of V. T. Hoggatt⁴⁰² they railroaded through in

⁴⁰⁰ It was charged that this delay was conspiracy on the part of officials connected with the Pacific Coast S. S. Co.

⁴⁰¹ The Alaska delegation to the Trans-Mississippi Commercial Congress of 1903 had been dominated by Swineford, Price, and Troy (editor of the *Skagway Alaskan*). They, with the assistance of the *P. I.*, had secured a verdict of 17 to 1 in favor of territorial government.

⁴⁰² Mr. Hoggatt had attempted to show Governor Brady that he was in a position to call a legal election for a delegate because Alaska already was a territory. In 1896 it had been so designated by the Supreme Court in "*United States vs. Steamer Coquitlam*," (163 United States, 340; a case which declared that the district court of Alaska was to be regarded as the supreme

a few hours a program to their own liking, headed by the resolution: "It is the sense of this convention that a territorial form of government for Alaska is not at this time expedient or desirable."

Some of the less conservative delegates from Ketchikan and Wrangell had not been held up by dilatory steamers and protested against the procedure of the "snap" convention, finally withdrawing from it. The withdrawing delegates, together with a contesting delegation from Juneau, and the belated arrivals, held a convention on October 27, endorsing a program one feature of which was immediate territorial government. The snap convention was generally deplored for its hasty action, as its membership was six less than that of October 27 (forty-three and forty-nine respectively); the Juneau delegation whom it refused to seat had been chosen at a mass meeting four times as large as that at which the gentlemen who were admitted were chosen. Neither convention was honored with the presence of Valdez members, because that town had frankly declared its fear that it would be outside the benefits which might accrue to the Panhandle and must therefore refuse to contribute to its welfare;⁴⁰³ being on the

court of that territory, and that its decrees were to be subject to review by the circuit court of appeals of the ninth circuit); and later by numerous incidental references to Alaska in laws, proclamations, and special orders. According to 1862 *Rev. Stat.*, all organized territories were entitled to a delegate: ergo, Congress must admit one from Alaska. Swineford and others saw a fallacy in this argument; Governor Brady was told by the Department of Interior that it had no weight, and the idea was dropped. Thereafter Brady advocated delay until statehood.

⁴⁰³ Valdez sentiment was largely controlled by B. F. Millard, a mining promoter who had persuaded eastern capitalists to spend capital in that vicinity. He convinced his townsmen that territorial government would put them under the control of southeast Alaska, especially Juneau. He tried to secure coöperation from Nome to postpone organization until such time as the center of population should shift to the north. Some attempt was made to keep these facts out of the papers, but it was unsuccessful. Valdez based

southwest coast, it felt itself a separate section. On the other hand, the "snap" convention had the most financial backing, enough to stand a fair chance of pressing their views upon Congress. They had demonstrated beyond a doubt the lack of unanimity in Alaska.

The same sort of phenomena marked the Republican convention held at Juneau November 10, a meeting which was one of the worst mixups in the history of that turbulent town. Two distinct conventions were organized and both proceeded to do business in the same hall at the same time. Motions were declared lost and carried in utter disregard of the howls of the opposition and very few of those who attended could tell what was really done. There resulted two sets of delegates to the national convention, two candidates for national committeemen (Marquam and Heid) and two platforms. The greatest point of difference between the platforms was that while both conventions pronounced themselves in favor of territorial government one wished it at once and the other at some "expedient" time. Also one group asked for three delegates and the other for two. There was an interesting lack of consistency on the part of some gentlemen who had taken part in the "snap" convention a few days previously and now found it "expedient" to advocate radical measures for the sake of party possibilities. But the number of persons interested in the Republican Convention and taking part in it was much smaller than that in the non-partisan meeting. Also in it the business men were less conspicuous. From the part taken by the Federal office-holders the convention ap-

her hopes upon a government road about to be built from that point to Eagle, on the Yukon: and opposed the plans then formulating for a railroad from Seward.

pears to have been an attempt of that group to get control of politics for the sake of the political implications of a campaign for territorial government. The general public had little interest in the squabbles of the Republican Convention: rather they turned their attention to Congress. They expected their situation to be improved by the legislative action which must follow the visit and report of the senatorial committee; and events in Alaska were therefore made to await, for a time, the action of the Fifty-eighth Congress. Attention was next turned to Washington, in a species of watchful waiting.

"God is afar off and it is a Long Way to Washington"

Report of the Sub-committee

When the Fifty-eighth Congress convened prospects seemed bright for Alaska. During the first session, a short one meeting from November 9 to December 7, 1903, seven Alaska bills were introduced;⁴⁰⁴ and upon the opening of the second session Alaska had a place in the presidential message. In determining what he should recommend regarding Alaska, Roosevelt had especially consulted Senator Dillingham, chairman of the sub-committee which had spent two months in the territory the previous summer, and Major-General A. W. Greeley, who had been overseeing construction of military telegraphs and cables.⁴⁰⁵ His message therefore emphasized the need for legislation along the lines of intercommunication and transportation, and recommended a cable from Sitka westward, lighthouses, wagon roads, and trails, and promotion of railroads in legitimate ways. It also stressed the need for "proper" land and coal laws, government hatcheries, and care of the Indians. But it was totally silent on the question

⁴⁰⁴ *H. R. 30* and *46*, to create a territory of Alaska: *H. R. 31* and *2527*, to improve the salmon industry: *H. R. 48* to limit the use of power of attorney: *H. R. 1925* to remove the port of entry to Juneau—the only one of these bills to pass: and *S. 410* to erect a public building at Nome.

⁴⁰⁵ General Greeley stated to the Alaska Club of Seattle that he wrote a memorandum for the President at the request of Secretary of War Root. *Prospector*, Aug. 25, 1904.

of a delegate and made no suggestions for a change in the administrative system, omissions of interest in the light of the messages of 1902, 1904, and 1905.⁴⁰⁶

A month later Beveridge submitted to the Senate a document entitled "Conditions in Alaska." To this document there were two parts: the first, covering thirty-two pages, was the report of the sub-committee as to the recommendations which their experiences in the territory led them to make; the second presented two hundred and seventy-six pages of hearings held before the sub-committee in Alaska – "original information gathered on the ground."⁴⁰⁷ As this document was the "first report of full and first hand information ever presented by a committee from either House to Congress for its guidance in legislating on the affairs of the district of Alaska,"⁴⁰⁸ considerable importance attaches to it. What was the nature of the hearings? What recommendations were based upon them? What legislation resulted?

The nature of hearings conducted in Alaska differed then (as it does today) from that of similar proceedings elsewhere in so far as Alaska's geography, climate, and industrial conditions increase the usual difficulty of arriving at a complete understanding by the hearing method. Alaska's immensity makes it impossible for any committee to acquire a thorough comprehension of the territory in two months of even the most "discriminating and intelligent investigation," as that of 1903 was reputed to be. Moreover, a visit made in summer takes place at a season when the prospector devotes his time to mining rather than to senatorial hearings. He

⁴⁰⁶ *V. supra*, p. 213, and *infra*, pp. 237 and 261.

⁴⁰⁷ 58C:2S., *S. Rept.* 282, pts. 1 and 2 (4570).

⁴⁰⁸ *Ibid.*, pt. 1, p. 2.

is naturally diffident and disinclined to inject himself into politics. Consequently, when the senators of 1903 visited the vast interior of Alaska, almost the only miners whom they had a chance to meet were those in attendance at court or present by chance at one of the larger settlements on the line of travel. Furthermore, among the miners who were within the senatorial reach, those with the biggest investments had the largest amount of time to spend at the hearings, had the greatest facilities for making their wants known, and had the easiest avenue of approach to the senatorial sympathy and understanding. Granting the excellent intentions of the senators, their task was necessarily too big for them with their limited opportunities. Inevitably they would be inclined to view Alaska problems through the eyes of the smallest part of her population, the part which carried the weight of capital and influence: and on that account the hearings must by nature have been extremely inadequate.

One would therefore expect the recommendations based upon such hearings to be equally unsatisfactory. Yet such was not altogether the case; in fact the viewpoint was in some respects far less narrow than might fairly have been presumed, for the reason that two of the sub-committee, Knute Nelson, Republican senator from Minnesota, and T. M. Patterson, Democratic senator from Colorado, were men with western background and understanding and a marked sympathy for the small mining man.

The recommendations of the committee, however, were based chiefly upon the fact that its members had been immensely impressed with Alaska's resources and potentialities, especially as to fisheries, minerals and agriculture. They concluded that these resources

should be developed and that road-building was absolutely essential to that development. They reported that since the Canadian government had been consistently following the policy of building roads into each new and promising region of Yukon Territory, it had accomplished two big things, the lowering of freight rates and living costs for Canadian miners, and the giving of the supply business for much of Alaska as well as of Yukon Territory into Canadian control. Through Dawson supplies were reaching American miners in the upper Yukon basin at prices nearly prohibitive. Therefore, the committee recommended that the War Department construct a wagon road from Valdez to Eagle, along the line of a military trail and telegraph previously built between those points, to connect the Yukon basin with an ice-free port on the Pacific Ocean. The construction of such a wagon road would, in the opinion of the committee, "undoubtedly be followed by the establishment of a steam railroad, and this [would] be the first step taken by the Government toward holding Alaska trade for the United States."⁴⁰⁹ It was reported that the expense of such an undertaking was justified by Alaska's favorable balance of trade, statistical information of which had been available since April, 1902, when Alaska commerce began to be required to file manifests as if for foreign ports.⁴¹⁰ For earlier years the committee used estimates which led them to conclude that, "deducting every conceivable charge against Alaska" for the fiscal years 1869-1903, she had yet to her credit "in the Treasury of the United States an excess of \$999,041.69 which ought to be ex-

⁴⁰⁹ *Ibid.*, pt. 1, p. 15.

⁴¹⁰ At first this ruling had aroused objections because of the bother and imputations involved: but soon the statistics came to be used as a powerful weapon in the hands of those demanding congressional attention.

pended in internal improvements." ⁴¹¹ Also the favorable balance might be further enlarged by a higher rate of taxation upon the fishing industries! ⁴¹²

Second to road building, the committee showed greatest interest in matters of law and judicial administration as affecting the mining industry. Everywhere they had met complaints of the statute permitting unrestricted use of power of attorney in making locations. They took the view that although serious evils arose from it, it should not be abolished; rather would they limit the number of claims taken by each person on one creek, and make more rigorous requirements for assessment work. ⁴¹³ In the second and third divisions they had found a great press of mining litigation; they therefore advised the appointment of another judge for the second, and the cutting of the third into two parts.

The point of view of the mining investor was also evident in the treatment accorded the problem of territorial government, a minor problem in the minds of most of the committee. They reported that the government already provided by Congress "afforded good order among the people" by enabling those in the towns

⁴¹¹ In a statement before the H. Com. on Terr., Feb. 8, 1904, Wickersham gave the total profit of Alaska to the nation, 1869-1903, as \$158,999,011.69; *v.* also 58C:2S., *Cong. Rec.*, p. 4393.

⁴¹² The salmon industry alone was adding to the world's wealth the sum of \$8,000,000, annually; but its contribution to Alaska revenue was small, amounting to but \$88,170 in 1903. The committee ventured to suggest an increase of the tax upon canned salmon from four cents to ten. The 58th Congress did no such thing and the 59th lowered the amount payable by the salmon industry in some respects; *v. infra*, pp. 268-269.

⁴¹³ The miners' meetings had attempted to restrict the use of power of attorney and other privileges granted by the United States Mining Statutes. Judge Wickersham had twice ruled against this: in *Price vs. McIntosh* (I. A. R. 286) and *Butler vs. Good Enough Mining Co.* (I. A. R. 246). His construction of mining law had created among Alaskans "a dissatisfaction with, and distrust in, the General Government, which [were] of a most blighting effect," according to a statement of John Rustgard of Nome before the H. Com. on Terr., Mar. 14, 1904.

to administer their own local affairs.⁴¹⁴ Yet as the senators had encountered a sentiment favorable to a territorial assembly, especially in the Panhandle at Ketchikan and Skagway, they were moved to define the issue according to their understanding of it. The advocates of the assembly had been found to be "supported by a majority of the residents of southeastern Alaska, provided that section could be set off into a territory by itself."⁴¹⁵ But many residents, especially the conservative business element, had expressed their opposition to the immediate establishment of a legislative assembly for the whole district, as tending to divert taxation from the public to the large industries then "in their infancy." Outside of the Panhandle the majority⁴¹⁶ of the committee had failed to find a general demand for a legislature: in fact the report stated that Nome in Seward Peninsula and Valdez in southern Alaska were about evenly divided on the question, while the Yukon miners opposed it if they mentioned it at all. Altogether the committee majority concluded that, pending the establishment of agriculture, intercommunication, and a permanent population, a territorial assembly was inadvisable. It would hinder, rather than help, the industrial development of Alaska.

On the other hand, there was no division of opinion whatever as to the necessity for a delegate for Alaska; with this ambition the committee was, so it reported, "in hearty sympathy." But its members were nevertheless unable to bring themselves to the point of advocating the holding of an election for the purpose of

⁴¹⁴ *S. Rept., op. cit.*, pt. 1, pp. 8-9.

⁴¹⁵ *Ibid.*, p. 30. The report described Ketchikan as a two year old mining town and Skagway as a community which had been deserted by about two-thirds of its former population.

⁴¹⁶ Senator Patterson announced himself unable to subscribe to the doctrine that Alaska was not yet ready for territorial government.

choosing a delegate. They were prevented from so doing by the fact that, although the majority of the people wished the delegate to be elected, the same class that objected most strongly to a legislature opposed an election as well, and for the same reasons. The committee, therefore, hinted at the desirability of appointing the delegate and passed the question on to Congress.⁴¹⁷

Reaction of the Fifty-eighth Congress

The report was submitted to the Senate on January 12, 1904, and on the 15th a deluge of Alaska bills commenced to descend upon both houses. Most of these bills were referred to the Committees on Territories, and those bodies held extensive hearings in an attempt to coördinate the diverse parts of the Alaska program. The immensity of the task which faced them may be appreciated from the fact that no less than fifty bills exclusively devoted to Alaska were introduced into each house. Of a number of the hearings upon them there are printed records,⁴¹⁸ which indicate that almost the same people spoke before the two groups. Therefore any difference of policy between the Senate and the House Committees on Territories must have been

⁴¹⁷ The report made recommendations on other matters, less closely connected with the home rule movement but germane to Alaska's welfare and of immense interest to her citizens, such as preservation of salmon by government control of hatcheries, and of seals by a temporary suspension of land killing, and encouragement of trade by harbor improvements at Nome and St. Michaels. Particular stress was placed upon the problem of the native in his relation to the white, a thing in which Roosevelt, Jackson, and Brady were greatly interested.

⁴¹⁸ Beginning with this Congress the number of printed records of committee hearings increases, so that the process of Alaska legislation gradually clarifies. What follows as to the history of home rule is therefore based as much upon these hearings as on newspapers, correspondence, the *Congressional Record* and documents. In addition to the Com. on Terr., those on Public Lands, Ways and Means, and Merchant Marine and Fisheries, held important Alaska hearings.

due to differences, not in the witnesses, but in the personnel of the committees. The gentlemen who testified at the hearings were largely members of the usual lobby, concerned with as many development schemes as the territory was believed to have resources, and each known in his locality as a mining investor, promoter, or molder of public opinion. Some of them had already done much to bring Alaska before Congress. For example, Mr. E. P. Brown told the House Committee on Territories that the corporation which he represented, the Valdez, Copper River, and Yukon R. R. Company, had "paid agents and solicitors to go before chambers of commerce and boards of trade throughout the United States . . . and succeeded [according to the best of his belief] in getting passed in the various centers of trade throughout the United States something like two hundred petitions and resolutions addressed to Congress imploring [it] to do something for the people of Alaska."⁴¹⁹ He and other special representatives, however, were not regarded by the wary committee members as disinterested sources of information.

But there was among the witnesses one of considerable prominence who had not previously appeared before the committee, James Wickersham, then Judge of the Third Division and the owner of some property in the Territory. He was asked by the House Committee on Territories to evaluate for them the legislation at hand at the time of his visit (February, 1904). This he did in systematic fashion, thereby taking an important part in determining the nature of the reports of that committee upon the bills before it.⁴²⁰

⁴¹⁹ 58C:3S., Com. on Terr., *Hearing*, Feb. 6, 1905. Mr. Brown insisted "we have worked diligently everywhere with everybody."

⁴²⁰ *V.* 58C:2S., H. Com. on Terr., *Hearings*, Feb. 8, 9, 1904. The same

Because of the movement for home rule, the congressmen had before them several bills for an elected delegate. These bills differed somewhat as to specific provisions for the salary, mileage, and method of election, of the delegate; and the committee, which on the whole accepted the House verdict of the previous year that Alaska should at once have an elected representative,⁴²¹ was puzzled over how to provide the voting machinery. Concretely, how could one be sure of a fair sort of election in an immense region which, in its greater part, had a population that shifted and means of communication that were extremely primitive? How could one organize parties without counties? How hold nominating conventions? How meet the expense?

Wickersham favored the election of one or more delegates⁴²² and he tried to help the congressmen with their problem by giving them a notion of pioneer adaptability. In the case of any sort of election the people could be trusted to provide their funds and candidates themselves. Parties, nominating conventions, and campaign funds were not the essentials as he saw them. Without them there would, of course, be a great many people voted upon and most of the work of the election would be contributed voluntarily; but — "at least you would get a lot of votes cast, and somebody would have a plurality. . . . Alaska would have a delegate and the beginning of a representative government." Each and every plan would be faulty

committee held hearings of considerable interest on Feb. 6, 22, 24, Mar. 10, 14, April 4, 1904, and Feb. 2, 10, 1905.

⁴²¹ *V. supra*, p. 212.

⁴²² From the time of his arrival in 1900, he had been mentioned among Alaskans as a likely candidate for delegate. When it was thought that a bill for an appointed delegate would pass the 57th Congress, the territorial press stated that Wickersham had been settled upon as the nominee. He himself told the committee that "no one man can fully represent Alaska, no matter how honest and broadminded he is; he can not do it."

in some respect and one should not expect perfection. This presentation of simple pioneer conditions appealed to the House Committee and they framed a bill as carefully as they knew how, based upon the results of their research. This bill had no difficulty in passing the House, except that the time allotted to its discussion was consumed in extraneous party speeches.⁴²³

To put it through the Senate was an entirely different proposition. Nelson had braved the disapproval of his colleagues and introduced a bill for an elected delegate which had been held up by the opposition of Senator O. H. Platt of Connecticut. The latter announced that any such proposition would be a dangerous precedent for non-contiguous territory. He therefore insisted upon amending the Nelson bill, with a clause stipulating that nothing in the act should be construed to imply a promise of statehood, and he finally prevented any favorable Senate action upon it, or upon the Cushman bill.⁴²⁴

Even less encouraging to the home rule movement was the reaction of Congress to the idea of a legislative assembly. Of course it was opposed by most of the gentlemen testifying at the hearings; and, it should be especially noted, Wickersham had added his disfavor to the weight of the opposition. The extreme territorialists had impressed Representatives William Sulzer of New York and Wesley Jones of Washington with

⁴²³ V. 58C:1 and 3S., *H. R. 5779*, *H. R. 13356*, *H. Rept. 1300* (4580).

⁴²⁴ Platt had previously notified Dillingham and Beveridge of his intention to oppose any bill for territorial government or an elected delegate for Alaska. He was assisted in his obstructing tactics by Foraker of Ohio and Kean of New Jersey; v. 58C:2S., *Cong. Rec.*, p. 3902; Coolidge (L. A.), *An Old Fashioned Senator*, 307-310, 409-410; McLain (J. S.), *Alaska and the Klondike*, pp. 254-255. Mr. McLain accompanied the sub-committee. The detailed history of the Nelson bill may be gained by consulting the *Index*, 58C:2 and 3S., *S. 3339*, *S. Rept. 4350* (4756) and *H. R. 13356*.

the belief that Alaskans did not want a delegate without a legislature and those gentlemen introduced bills for territorial government and argued against the delegate bills.⁴²⁵ Therefore in view of the report of the sub-committee on this point, it was inevitable that no favorable committee action would be secured for the organization of Alaska.

It was scarcely expected, however, that similar failure would reward attempts at the improvement of means of communication and transportation, which the presidential message and the sub-committee report had stressed as absolute essentials to Alaska's progress.⁴²⁶ Senator Nelson made a truly heroic effort to include in the Army Appropriation Bill the sums of \$250,000 for a Valdez-Eagle road and \$25,000 for a Coldfoot-Yukon trail. On April 30, 1904, he closed a stirring peroration upon the floor of the Senate in explosive fashion "all this have they done, Mr. President, and in return we have not done a damn thing for them." When the laughter had subsided he explained that "sometimes adjectives come from the heart." It is undoubtedly true that such was the source of the Senator's adjective; but Alaska territorialists remarked that the very things he proposed to do for Alaska were "just the damn things that ought not to be done."⁴²⁷

⁴²⁵ For arguments against granting a delegate before territorial government *v. Hearing* of April 4, 1904.

⁴²⁶ In addition to trail and wagon road legislation, there were introduced about fifteen measures to aid railroad projects, often framed by the attorneys for the roads, and two for telegraphs. Of these, two, in aid of the Western Alaska Construction Co., became law. Railroad promoters were struggling to secure remissions of fees, and extensions of time for construction, pending the day when they might be able to procure title to desirable lands. They were not enthusiastic over the prospect of a government wagon road.

⁴²⁷ *Skagway Alaskan*, May 5, 1904, quoting the *Ketchikan Mining Journal*.

Nelson's oratory had effect in the Senate; but the House objected – on the grounds that there was none of the alleged military necessity for the road, that the Cumberland road was not a precedent applicable in this case, that the House had no reliable information to prove that the road was needed,⁴²⁸ that even if it were, the amount asked was too small to complete it, and that its true objects were land promotion for private ends and political jobbery. Finally the dispute, which was mostly pure (?) politics, was ended with an amendment appropriating \$25,000 and \$2,500 respectively for surveys of the proposed road and trail.⁴²⁹

The nearest approach to adequacy in the Alaska legislation of the Fifty-eighth Congress was a Nelson bill reapportioning the money received for licenses outside of the towns.⁴³⁰ It designated such fees "the Alaska Fund" and assigned five percent to the Secretary of the Interior for care of the insane, twenty-five percent to elected school boards under the superintendency of the Governor for the education of white children, and seventy percent to the Secretary of War for road construction. The roads were to be built under the direction of a board of commissioners composed of army officers, and although such was not the intention of the act, those commissioners later became an important factor in the Alaska political situation. Road districts and a road tax were specified by a bill introduced by Cush-

⁴²⁸ Much of the more reliable information had come from senatorial sources: but the Senate had defeated the Cushman delegate bill.

⁴²⁹ *V. 58C:2S., H. R. 10670, S. Rept. 836 (4572)*. This bill went to conference three times, largely because of the Alaskan amendments to it. The story of Nelson's fight for his Alaska road-building program was told in his own words to the S. Com. on Fisheries, at a hearing of June 28, 1912, *q. v.*

⁴³⁰ It was alleged that Cushman agreed to put this bill through the House if Nelson would support a delegate measure, *Skagway Alaskan*, Jan. 15, 1905. At any rate both men worked for these two pieces of legislation, although the delegate measure failed.

man, making each commissioner's precinct a district for this purpose. By the terms of these two bills⁴³¹ Congress partially met the demand for roads and for local control of the funds spent upon education of white children. This road legislation, however, was ill adapted to Alaska. What the territory needed was a system of highways connecting the widely scattered settlements. Instead there was foisted upon it the admittedly pernicious practice of "working out road taxes." Each miner was supposed to spend a number of days each year in road building, and this meant, of course, that his services could be utilized only in making local trails. The commissioners were usually broken down lawyers and politicians. By the terms of the road law, they were metamorphosed into highway engineers.

With the road and school legislation should be classified a law for municipal home rule. There had been considerable jealousy in the Panhandle and at Nome between the federal court officials and the elected magistrates in those localities. The same offender was sometimes arrested and fined and released by the elected magistrates only to duplicate his experience at the hands of the appointed federal officials. The judge of the first division was particularly unfortunate in his attempts to secure the coöperation of grand juries for the enforcement of federal laws, against gambling especially. He tried to strengthen his position by rigorous letters of instruction to the court commissioners. But this was futile, because, in the face of evidence, petit juries refused to convict. They said that although the laws in question had been passed by Congress for

⁴³¹ *V. 58C:2 and 3S., S. 3728, S. Rept. 744 (4572) and H. Rept. 2235 (4582) and H. R. 13014.* This law left native education to be supported by congressional appropriations. It was satisfactory to both Jackson and Brady.

Alaska they were not such as Alaskans would pass for themselves. Congress relieved the tension by increasing the jurisdiction of local officials.⁴³²

When the Fifty-eighth Congress adjourned it had passed a dozen of the hundred and more Alaska measures presented to it. Of the successful⁴³³ but one, the Nelson act creating the "Alaska Fund," was of widespread importance; of the unsuccessful, the measures for a delegate, for roads, and for division of the judicial district,⁴³⁴ were really vital. This was a sad commentary upon the visit of the Senate sub-committee and raises the question, "Why?" The answer can be found partly in the condition of affairs at Washington at the time. Congress was in such a state as to make it extremely difficult to pass any legislation that was not strongly partisan. The war with Spain had given a new and peculiar definition to the term "non-contiguous territory." Cuba and Porto Rico were casting a baleful shadow upon Alaska's chances of being considered a part of the United States. The campaign for

⁴³² *V. 58C:2S., S. 3338, S. Rept. 1027 (4573)*. Judge Wickersham had pleased the third division by his support of municipal home rule: but Judge Brown of the first had incensed the Panhandle with a contrary policy, more strictly legalistic, but less expedient.

⁴³³ The other measures passed for Alaska by this Congress were: *S. 2692* giving Nome a life-saving station; *S. 2814* liberalizing the survey regulations for coal land locations; *S. 3035* giving the Secretary of the Interior jurisdiction over the insane; *S. 5088* and *H. R. 13740* in aid of the Western Alaska Construction Co.; *S. 7012* correcting a minor error in *S. 3728*; *H. R. 1925* making Juneau the port of entry and the official residence of the customs collector, then D. H. Jarvis; *H. R. 6780* for a bridge over Catalla Creek; *H. R. 17863* assigning fees collected by the Secretary of the Territory to the Alaska Historical Library and Museum. This list leaves out of the count two duplicate bills passed in moments of congressional abstraction, *v. 58C:3S., Cong. Rec., pp. 284 and 959*.

⁴³⁴ The defeat of the project for an additional judge was charged to Wickersham and cost him the friendship of Senator Nelson, who thereafter repeatedly prevented his confirmation by the Senate. Representative Lacey of Iowa opposed the project when it came to the House from the Senate.

statehood for Oklahoma, New Mexico, and Arizona had made debate upon territories rancorous. Also, there were innumerable personal factors involved, petty, and powerful for purposes of obstruction, to which the lobby contributed mightily. Nor can it be denied that conditions in Alaska were such as to increase the difficulties of legislating for her at Washington. Personal partisanship, to which reference has already been made,⁴³⁵ was at white heat over recent developments connected with the patronage and "carpetbaggism."

In 1904 numerous political aspirants had allowed themselves to become part of an "unseemly alignment at the pie counter."⁴³⁶ A number of terms were about to end and there seemed some chance for a redivision of the spoils,⁴³⁷ especially since those hunting for dispossess proceedings had unearthed a scandalous state of affairs in Alaskan administrative circles. The cause of all the trouble was that the District Court of Alaska had in hand a task like unto that of no other United States court. By the Civil Code it had been given administrative as well as judicial functions. For example, in the matter of liquor, the court examined petitions for licenses and granted and transferred these licenses, besides collecting the funds and dividing the proceeds; in the matter of incorporation of towns, it heard the petitions, called the elections, appointed the election officers, and fixed the town limits; in the matter of school treasurers it fixed and approved the bonds;

⁴³⁵ *V. supra*, p. 200.

⁴³⁶ *Dispatch*, Sept. 19, 1904, quoting the *Ketchikan Mining Journal*.

⁴³⁷ Alaska places up to this time had been apportioned as follows: judges, Wash., Pa., and Wyo.; marshals, Wash., Idaho, and Iowa; prosecuting attorneys, Cal. and Iowa; officials connected with the land office, Ill., Ind., and Neb.; collector of customs, Ore., until time of Jarvis appointment in 1902.

in the matter of commissioners' precincts, it organized the precincts, appointed the officers therein, approved their bonds, heard charges against them and removed them; in the matter of auditing, it received and audited the quarterly accounts of all officers, including the commissioners.⁴³⁸

Such an arrangement was foreign to the American idea of separation of powers; but it had been thought necessary because the Alaska legislature, Congress, was so far away from the territory that there needed to be some power to fill the hiatus between the making of the laws and the putting of them into operation. The result was natural enough. The court with the administrative functions would "run amuck of somebody, and that somebody, if he [were] of the necessary stripe . . . would immediately file charges of corruption in the department—sure. So there you are."⁴³⁹ In addition to being burdened with administrative functions the court officials were receiving low salaries or were paid in fees, with the result that they increased their incomes by engaging in business ventures of one sort and another or, if paid in fees, encouraged litigation artificially. One commissioner announced, when he arrived at his headquarters, "I have been appointed by the United States to skin you and I am going to do it." Needless to say, he did. Still in addition to all this, the law provided that appeals from the commissioners' courts should go to the judges by whom they had been appointed making reversals rare and giving color to charges of collusion.⁴⁴⁰

⁴³⁸ *V. H. Com. on Terr., Hearings*, Feb. 8, 1904, statement of Judge Wickersham.

⁴³⁹ *Record-Miner*, July 18, 1904.

⁴⁴⁰ *V.* "Rept. of the Att.-Gen. for 1904," 58C:3S., *H. Doc. 9* (4811) pp. 14-16; *q. also Gov. Rept., 1903* (4648) p. 12.

The abuses which arose from this condition of affairs were primarily faults of the laws mistakenly laid down by Congress for the conduct of Alaskan administration. But partisans, enemies of incumbents, and friends of would-be successors, readily made capital of them as faults of personal morality, inspired by extraordinary cupidity in the person under attack. Whenever "a Washington, D. C. lobbyist wired his Seattle friend that — had been appointed to federal job in Alaska, the following answer [would be] rushed back by wire: 'Who in Hell is — File charges against him at once.' " ⁴⁴¹ During the summer of 1904 the uproar caused Roosevelt to ask the Department of Justice to send up a special investigator who should conduct hearings open to all comers for the sifting of evidence for and against the accused officials. Roosevelt declared that he must have "information on which he could rely." Having obtained it, he devoted a section of his Fourth Annual Message to suggestions for the purification of the Alaska court by means of proper laws for the conduct of its affairs.⁴⁴² As regards the attacks upon his appointees, he was inclined to interpret the evidence in their favor and retain as many as possible; and where the Senate refused to confirm his reappointments in important cases, he countered their refusal with the simple device of recurrent recess appointments.⁴⁴³ Whatever the merit of the individuals

⁴⁴¹ *Dispatch*, Aug. 26, 1904.

⁴⁴² Message of Dec. 6, 1904. Another important instance of a special investigator sent up by Roosevelt was that of Lieut. G. T. Emmons, sent to ascertain the condition of the natives.

⁴⁴³ The reappointment of Judge Wickersham first went to the third session of the 58th Congress, and the question recurred at each of the four following sessions. The most important dismissals were those of Judge Brown, for engaging in a water power venture at Ketchikan, and District Attorney Grigsby for accepting \$10,000 from the Pioneer Mining Co. when it had litigation before the Nome court.

concerned, Roosevelt's independence in this matter did not contribute to a peaceful state of political opinion in Washington and public opinion in Alaska.

Reaction of Alaskans

Alaskans had been deeply stirred by the report of the sub-committee, the reaction of Congress to that report, and the administrative disclosures involved in the patronage fight.

Of the contents of the report, many citizens of the territory had been able to inform themselves, and they felt in a position to pass judgment upon it.⁴⁴⁴ The radicals claimed that the sub-committee had not only dodged the question of home rule but had even been guilty of serious misrepresentation, because their report omitted to mention all the fees paid into the federal treasury by Alaska and all the hearings at which strong speeches for territorial government had been made. This group claimed that the report tried to make the case against territorial government as strong as possible; and they were inclined to attack Dillingham and Beveridge for their conservative leanings and apparent bias. Nearly all classes regretted the failure of the committee to advocate the election of a delegate. However, these disappointments were tempered by the promise of road building (in spite of local jealousy over the emphasis placed upon Valdez)⁴⁴⁵ and of prospective improvements of harbors and navigation.

Toward the reaction of Congress to the report, Alas-

⁴⁴⁴ Five thousand copies of the report and one thousand five hundred of the hearings had been printed and Beveridge had seen to it that a number of both were sent to Alaska.

⁴⁴⁵ Valdez was mentioned in the report twenty-seven times, Eagle nineteen, Nome thirteen, and Sitka, Juneau and Skagway seven times each, according to the *Record-Miner* of April 6, 1904, quoting the *Valdez News*.

kans were forced into an attitude of disappointment, disgust, dismay, and direful prophecy. Whereas their hopes had been high, their spirits now sank low, especially in connection with the delegate project. They certainly had had good reason for hope, because their natural belief in the justice of their cause had been augmented by hopeful assurances from numerous and influential groups of American citizens. First, the Senate sub-committee had acknowledged the necessity for a delegate, even if it had not advocated that he be chosen by election. Second, the Democratic National Convention had accepted a plank for "a territorial government for Alaska and Porto Rico" and for the appointment of officials from among *bona fide* residents of all territories "as well as the district of Alaska."⁴⁴⁶ Third, the American Mining Congress, meeting in Portland, Oregon, had passed, after a fight, a resolution in favor of a delegate from Alaska to the United States Congress.⁴⁴⁷ Fourth, the Arctic Brotherhood, an Alaska benefit society, had held a convention in Seattle in November, 1904, at which was passed a resolution that they send a request for a delegate to every member of Congress as well as to the President.⁴⁴⁸ Fifth, a representative of Alaska had for the first time

⁴⁴⁶ This regardless of the fact that Alaska Democrats made no united contribution to the campaign fund of that year; *v. Official Proceedings*, p. 152 and *Record-Miner*, July 13, 1904. The national convention was preceded by one in the territory which stood for an elected delegate, territorial government, and the abolition of carpetbagism; *v. Dispatch*, May 25; *Record-Miner*, May 26; *Skagway Alaskan*, May 26, 1904. At the Republican National Convention of that year the J. G. Heid faction had bested the Marquam liberals and made Heid national committeeman. The result was, that although Ivey was a member of the resolutions committee the only platform reference to Alaska was one lauding the boundary settlement; *v. Official Proceedings*, 106, 136, 139, 140, 165.

⁴⁴⁷ *Official Proceedings*, 37-42, 76.

⁴⁴⁸ On the other hand, the "Alaska Club" of Seattle, a less representative body, was willing to tolerate an appointed delegate.

been called to the annual meeting of custom appraisers, held in New York City, December, 1904. Sixth, Congress had freely granted to "the negroes of Porto Rico, the kanakas of Hawaii and the yellow tribes of the Philippines" the right of representation thus far denied the white American citizens of Alaska.⁴⁴⁹ Better still, newspapers too numerous to list had taken up the cudgels in Alaska's behalf.

After hopes had been raised in this fashion, it is small wonder that the press of the territory became sarcastic and bitter, in its search for an explanation of their disappointments. Papers in the first division reflected that "God knows, Judge Brown knows, and we all know, that the members of Congress who made the laws for Alaska never had any interest or purpose so far as Alaska is concerned."⁴⁵⁰ The papers supporting the administration were attacked because they seemed to think that "Brady was made governor by God and would be perpetuated by Roosevelt." The facts were that "God, Roosevelt, and Brady [might have made] a great team at governing Alaska," but the hopes of the territory must rest in the first named, because the others had "signally failed."⁴⁵¹ Even at that, they said, "God is afar off and it is a long way to Washington."⁴⁵²

⁴⁴⁹ *Skagway Alaskan*, April 19, 1904. In 1904 Porto Rico had a resident commissioner chosen by all males who had been Spanish subjects (56 *Stat. L.*, 79, 86); Hawaii had a delegate chosen by all males who could read, write, and speak English or Hawaiian (56 *Stat. L.*, 151, 158); the Philippines had two resident commissioners chosen by the two houses of the legislature. The first house was appointed by the President and the second elected by the property holders (except Moros and other non-Christian tribes) (57 *Stat. L.*, 693, 694).

⁴⁵⁰ *Douglas News*, July 6, 1904.

⁴⁵¹ *Skagway Alaskan*, May 5, 1904.

⁴⁵² *Dispatch*, Sept. 15, 1904, quoting *Nome Nugget*. This is a paraphrase on the old Aleut cry of Russian days: "God is high and the Czar far away."

Other and more intelligent comment was not lacking, for it was plainly understood by some Alaskans that the industrial growth of the territory increased the difficulty of passing legislation at long range and decreased the amount of attention it was likely to get from preoccupied members of Congress, for there were constantly more people and greater capital affected by each new bill. The blame was generally understood to lie with the capitalistic lobby, which had by its contradictoriness encouraged a state of idleness in Congress, on the theory of "when in doubt don't." The place of the President in the scheme of things was a puzzling one to determine, but the tendency to excuse him was strong; rather than think him an autocrat, Alaskans preferred to believe he had been misled into the opinion that their territory was a graft-ridden country in which none but a corporation man could be elected delegate, a notion of importance in view of the subsequent history of conservation in Alaska. The question resolved itself into finding a way to correct mistaken notions regarding Alaska and Alaskans, and to do this Alaskans must be unified. Pleas were made for a "fixed purpose or ideal of government."⁴⁵³ Notwithstanding, it was of little use to talk of unity as long as partisanship was rife.

As to the disclosures involved in the administration fight, there was no lack of understanding among the pioneers, although their language on the subject was sometimes a bit strong.⁴⁵⁴ Alaska was not unaccus-

⁴⁵³*Skagway Alaskan*, June 21, 1904, quoting *Record-Miner*.

⁴⁵⁴The *Record-Miner* remarked of carpetbaggers that "the only thing they brought with them to Alaska is their commission, a rotten record, a few supercilious airs, possibly a change of socks and a carpetbagful of that little pamphlet, which they have circulated among the people, entitled "Hoyle on the Duty of a Subject to his Sovereign," April 22, 1904, quoting *Valdez News*.

tomed to her rôle as the dumping ground for payment of political debts and the wonder had been that she had not suffered more from it. This may be explained by the fact that most of her higher officials had been of a decent type of citizenry and all of them had had something of the good brought out in them through contact with the more sturdy class of Alaska pioneers. Nevertheless the popular wrath vented itself upon Alaskans as often as upon carpetbaggers, upon honest officials as well as upon scoundrels.

One of the chief persons against whom much complaint lodged was Governor Brady, who suffered greatly from his impractical unworldliness and failure to follow a policy agreeable to the business people. The Governor had, since the passage of the Civil Code, improved in understanding of the new Alaska and become increasingly insignificant in function. His powers were practically limited to the making of reports, the issuing of Thanksgiving proclamations, and the appointment of notaries public; but his prestige at Washington was greater than was desired by those who wished he were a strong party man or were anxious to put Alaska's past in the background. These set themselves to get rid of him. The movement was styled "the abatement of the Sitka nuisance"⁴⁵⁵ and it made pessimistic reference to his recent tendency to advocate an appointed delegate as an indication that he might "graduate in American citizenship in about one century."⁴⁵⁶ Such comments originated to a certain extent in the plenitude of candidates for his position; but

⁴⁵⁵ *Skagway Alaskan*, April 16, 1904.

⁴⁵⁶ *Ibid.*, March 30, 1904. Brady's attendance at Washington had been discouraged by Secretary of the Interior Hitchcock for two years past; but his reports were cited in committee rooms and on the floors of Congress.

he was himself responsible for some of the alienation of feeling because of his lack of tact.

Governor Brady not infrequently wounded Alaska pride with his insistence that the number and quality of the population had been exaggerated, that Alaska had retrograded in prosperity since 1900 in spite of encouraging statistics, and that she should remain unorganized until ready for statehood. This last plan he based upon the faults of territorial government as glaringly revealed during the debates upon statehood for Oklahoma, New Mexico, and Arizona. He made this proposal particularly unpalatable with the suggestion that Alaska should wait for organization until she should have filled up "with a desirable population such as we think will come."⁴⁵⁷ Worse still, he asked in the meantime for a boat equipped with rifles and gatling guns to cope with lawlessness in the territory. The call for gatling guns was a scandal to Alaskans and widened the breach between them and the governor. The pioneers had no inclination to delay suffrage until statehood, they were not pleased with the notion that when they did vote the Indians should do likewise, as Brady wished, and their wrath was great when Brady said they desired an elected delegate because they "would like the excitement and contention of an election."⁴⁵⁸ Doubtless they were secretly pleased therefore, when Brady himself lost his temper over the Platt amend-

⁴⁵⁷ *V. Gov. Rept. 1903* (4648) pp. 8-9, 15-16. The *Dispatch* of July 13, 1904, quoted the *Nome Nugget* to the effect that the pioneers were violently opposed to having lemonade and cider served with their meals, and felt it hardly the time to break hard formation with a prayerbook. The *Dispatch* of Jan. 12, 1905, quoted the *Mining Journal* as saying "the man who says that the white people of Alaska do not number more than 36,000 lies like a gas meter, and has in him the making of an accomplished horsethief."

⁴⁵⁸ *Gov. Rept. 1903*, p. 10.

ment to the Nelson delegate bill, and opined that Platt, of Connecticut, "must be of that deteriorated stock which has been so much discussed in the press of that state."⁴⁵⁹

Politics connected with the St. Louis Exposition was an additional factor in the weakening of Brady's position. The Fifty-seventh Congress had appropriated \$50,000 for an Alaskan exhibit, and the people earnestly desired that it should be more representative and informational than earlier attempts along that line.⁴⁶⁰ It fell to Brady to nominate assistant fair commissioners and he, understanding that a Juneau man by the name of L. L. Williams was the popular choice and a worthy candidate, named him in spite of the fact that he was a Democrat. The "anvil brigade of Republicans with an eye single to the loaves and fishes"⁴⁶¹ charged Brady with disloyalty to his party, thrust the issue upon Roosevelt and Hitchcock and threatened non-coöperation in securing exhibits. As a consequence the position was left vacant, and Brady had the responsibility to himself, with the attendant abuse and minimum of credit for a fair display.⁴⁶²

All these confusions made the anti-Brady complex in Alaska, especially in the Panhandle, virulent; but they were not effective to prevent his reappointment to office. Judging from the newspaper comment this was not expected, but it was readily explained as an evidence of the continued control of Alaska policy by the Presbyterian Board of Home Missions which was so

⁴⁵⁹ *Gov. Rept. 1904* (4802) p. 5.

⁴⁶⁰ The Buffalo exhibit had been privately appropriated and had laid undue emphasis upon the Indian aspects of Alaska life.

⁴⁶¹ *Skagway Alaskan*, July 23, and *Dispatch*, July 27, 1904.

⁴⁶² The exhibit included \$40,000 worth of pictures taken by the Valdez Copper River and Yukon Railroad for the purpose; *v.* 58C:3S., H. Com. on Terr., *Hearings*, Feb. 2, 1905.

powerful that the party leaders were unwilling to oppose it. Alaskans were not aware that Sheldon Jackson was directly responsible for the reappointment of Brady against the majority desire.⁴⁶³ It was left for Brady finally to dig his own political grave.

Combined Effect upon the Home Rule Movement

It is patent that the struggles over the patronage, including the reappointment of Brady, originated as a private and selfish thing; but, with the scandalous disclosures as to the condition of the administration, it gave weight and volume to the outcry against carpetbaggism and thereby increased the momentum of the home rule movement. The desire for the suffrage, to be exercised in electing a delegate, was increased by the failure of the bills for a delegate. The desire for territorial organization, with a legislative assembly, was increased by the apparent unwillingness of Congress to provide a delegate without organization. The experiences of Alaska at the hands of the Fifty-eighth Congress were taken as indicating how little that terri-

⁴⁶³ Jackson sent out a circular letter from Washington, dated May 7, 1904. It contained three paragraphs of significance for our purposes.

"The appointment of the Reverend John G. Brady, Governor of Alaska, terminates on the sixth of June. In the whole political history of Alaska it has had but two good governors, one (Judge Sheakley of Pa.) a Democrat appointed by Mr. Cleveland on his second term, the other (John G. Brady) appointed by Mr. McKinley just previous to his death.

"The friends of good order and the substantial property holders of Alaska are in favor of Governor Brady's reappointment. His opponents are men who stand for measures which we deem pernicious and which he has persistently fought.

"If you are willing to help us in Alaska to good government, will you not write President Roosevelt and ask that Mr. Brady may be continued Governor because of the good, faithful, honest, and efficient service already rendered in that position? Please do not use my name in writing to him.

"Very truly yours, Sheldon Jackson, General Agent of Education in Alaska." Letter supplied through the kindness of Miss Leslie Jackson.

tory could expect from the national legislature and administration. Thus Alaskans felt that they were thrown back upon their own resources. The agitation for territorial organization went further than ever before, with detailed argument upon the general cost and the particular salaries connected with it. During the period of the "summer blues" common to mining towns there was some newspaper talk, by the *Valdez News* and *Skagway Alaskan* especially, to the effect that Alaskans should set up a legislature, send a delegate to Congress and, in case recognition was refused him, "go it alone and govern Alaska." The general public was unwilling to go that far; but a section of it tried a dramatic experiment. At Valdez a mass meeting was called, and an appeal was drafted to be sent to the President. The resolution read: "On behalf of 60,000 American citizens in Alaska who are denied the right of representation in any form, we demand, in mass meeting assembled, that Alaska be annexed to Canada." President Roosevelt received this pronunciamiento upon the day of his inauguration, March 4, 1905.

"That fretful but famous telegram from Valdez"⁴⁶⁴ caused influential newspapers all over the United States and Canada to speak on behalf of the neglected dependency. The press of Yukon Territory called it a "deliciously refreshing" demonstration of how far the childish and foolish senators had departed "from original American principles" in their fear of statehood.⁴⁶⁵ But when it came to the question of giving Alaska a form of government modeled upon that of Yukon Territory, the press of both regions spoke out in protest.

⁴⁶⁴ *Dispatch*, July 22, 1905.

⁴⁶⁵ *Dawson News*, quoted by *Dispatch*, Mar. 28, and *Victoria Colonist*, Mar. 30, 1905.

The Yukoners had but recently elected a member of parliament on a platform demanding that their legislative body, which was but half elective, should become entirely so: as then constituted, their form of government, said they, was "a warning rather than an example." Any plan based upon it was pernicious, un-American and un-British.⁴⁶⁶ Alaskans also objected, because they were confronted with a proposal (said to be after a Canadian pattern) that their affairs should be administered by an "Alaskan Governing Board" composed of a governor, three commissioners appointed by the President, and three other persons elected to four year terms. This, said they, would create a board in which the appointed majority would overrule the elected minority;⁴⁶⁷ and as the plan made the appointed governor the delegate to Congress, the electorate would have no power whatever. They had experienced government by injunction and government by receivers at Nome and other placer mining districts; now they were being threatened with government by appointment.⁴⁶⁸ These protests of Alaskans against acknowledging a delegate who had been appointed, and those of Representatives against admitting to the House an official who had not been elected, sufficed after the usual period of uncertainty in Alaska to render the Canadian plan abortive.⁴⁶⁹ Patience was severely tried.

⁴⁶⁶ *Dispatch*, quoting *Dawson News*, Jan. 18, *Fairbanks News*, May 18, and *Toronto News*, May 24, 1905.

⁴⁶⁷ *Ketchikan Mining Journal*, Feb. 18, 1905.

⁴⁶⁸ *Douglas News*, quoted by *Dispatch*, Feb. 2, 1905.

⁴⁶⁹ The plan referred to was introduced in a bill presented by Senator C. H. Dietrich of Neb., and aimed to lessen judicial prerogatives in Alaska: *v.* 58C:3S., S. 6383, S. Doc. 110 (4765) and *Valdez Prospector*, Dec. 15, 1904. Another bill for a governing board was introduced the next session (59C:1S., S. 272) and thereafter few sessions were without similar proposals.

"In Self-Defense"

New Hope for a Delegate

Although the much-advertised wish for annexation to Canada was quite fictitious, that for representation in the United States Congress was thoroughly genuine and would have been satisfied, even if Roosevelt had never received a telegram from Valdez. Toward this end recent events were contributing, as defining the legal status of Alaska, as enlightening Congress regarding that dependency, and as placing Alaska in communication with the outer world.

In the first place, the legal status of Alaska among the non-contiguous possessions of the United States had been finally settled by the Supreme Court in 1905. Since 1900 that body had been delivering a series of opinions, popularly termed the "Insular Cases," which developed certain distinctions as between the legal status of Hawaii and of the possessions acquired from Spain (Porto Rico and the Philippines) and that of the older territories on the continent, Alaska, Oklahoma, Arizona, and New Mexico. The new possessions were declared to be "unincorporated" territories, appurtenant to, and dependencies of, the United States, but not a part of the United States; in legislating for them Congress was declared to be bound only by the "fundamental" parts of the Constitution which automatically extend to all territories of the United States as soon as they cease to be foreign terri-

tories: the "formal" portions of the Constitution, on the other hand, were to apply to them only when Congress so directed. The older territories were declared to be "incorporated" territories; in legislating for them Congress was bound by all the limitations in the Constitution which were not clearly inapplicable. In this connection the Supreme Court reserved the right to determine from time to time what parts of the Constitution are fundamental and what formal: and in the latter class were placed, one after another, provisions involving the interpretation of the term "United States" in reference to uniformity in taxation, clauses concerned with citizenship, and the requirements of the Sixth Amendment to the Constitution regarding the use of grand and petit juries in the prosecution of crime.

In every Alaska case the court placed that region in the class of incorporated territories. For example, although taxes imposed in Porto Rico need not be uniform with those imposed throughout the United States (decision of May 27, 1901, in *Downes vs. Bidwell*, 182 U. S., 244) those imposed in Alaska must share in that uniformity. For by a decision of May 31, 1904, in *Binns vs. United States* (194 U. S., 486) the Supreme Court decided that although the rule of uniformity of taxes applied to Alaska, license fees imposed on certain lines of business by the Alaska Penal Code must be deemed local taxes, imposed under the plenary power of Congress over the territories, for the purpose of defraying the expense of the territorial government.⁴⁷⁰ And again, although the provisions of the Sixth Amendment did not apply to Hawaii or the Philip-

⁴⁷⁰ *V. infra.*, pp. 162-163. For the latest discussion on this point *v. Balzac vs. Porto Rico* (1922, 42 Supreme, 343) which has a good statement by Taft relative to the present status of Porto Rico.

pires (decisions of June 1, 1903, and May 31, 1904) in the cases of *Hawaii vs. Mankichi* (190 U. S., 197) and *Dorr vs. United States* (195 U. S., 138) they did apply to Alaska. For, by a decision of April 10, 1905, in *Rasmussen vs. United States* (197 U. S., 516) the Supreme Court declared that Section 171 of the Alaska Code (31 Stat. L., 358) in so far as it provided that in trials for misdemeanors six persons should constitute a legal jury, was unconstitutional and void, under the Fifth and Sixth Amendments.

The reasons for these differences in classification were given by the Supreme Court as follows: the treaty with Russia concerning Alaska, instead of exhibiting, as did that with Spain concerning the Philippine Islands, the determination to reserve the question of the status of the acquired territory for ulterior action by Congress, manifested a contrary intention to admit the inhabitants of the ceded territory to the enjoyment of citizenship, and expressed the purpose to incorporate the territory into the United States. Therefore, under the treaty with Russia ceding Alaska and the subsequent legislation of Congress, Alaska had been incorporated into the United States and the Constitution was applicable to her.

These decisions gave Alaska the proud title of "Territory" in the place of the name of "district" with which she had been burdened since 1884; and they took her, though a non-contiguous area, out of her association with the dependencies acquired from the Spanish war, into a class again peculiar to herself. Like Arizona, New Mexico, and Oklahoma, she was to bear the name of territory and bask in the effulgence of the Constitution; but unlike them she yet remained destitute of delegate and local legislature. The *Dis-*

patch, of April 18, 1905, therefore felt called upon to congratulate Alaskans, that, although yet without representation, they were "still under the old flag."

In the second place, various members of Congress were becoming more intelligent upon Alaska because they were investing in territorial property or becoming curious enough to visit her. The Congressional Committee on Industrial Arts and Expositions which had been inspecting the Lewis and Clark Exposition at Portland, Oregon, during the summer of 1905, was jointly invited by Seattle and Tacoma to be the guest of the commercial organizations of those cities on a trip to Alaska, for which the Pacific Coast Steamship Company, in which Senator John Kean of New Jersey was interested, furnished the transportation. The invitation was accepted by quite a number of the gentlemen, who thereby enlivened their notions of the region, even if they did not in all cases, especially that of Speaker Cannon, adopt a liberal attitude toward it.⁴⁷¹

⁴⁷¹ That the power of the Speaker was thoroughly appreciated in Alaska is evident from a passage in the *Sourdough's Bible*, by A. T. Fair. "The Lord said unto Uncle Joe: Write the things which thou hast seen in the Northland, and the things which are, and the things which shall be hereafter." Mr. Cannon was so strongly impressed with sectionalism in Alaska that he could see no result but friction from the election of but one delegate for the whole territory. He urged Alaskans to depend upon the Washington contingent for legislation, of which he believed too much far worse than none. Other visitors of political prominence were Sen. S. H. Piles, Reps. W. E. Humphrey and F. W. Cushman of Wash.; Sen. J. A. Hemenway of Ind., who was a great friend of W. B. Hoggatt, a prosperous mine-owner near Juneau destined to be governor; Reps. H. C. Loudenslager of N. J.; James McAndrews and W. A. Rodenberg of Ill., J. C. Sibley of Pa., C. L. Bartlett of Ga., J. A. Tawney of Minn. Alaska comment on these visitors may be found in all the territorial newspapers for June and July of 1905. Rep. Wm. Sulzer of N. Y., visited his extensive Alaska properties again that same summer and made inquiry as to the attitude toward his bills for home rule. He had come to Alaska with other congressmen on a revenue cutter in 1901 and the result had been the incorporation of a copper concern, the Alaska Industrial Company.

The next year the number of congressional visitors was also noticeable, although they came at that time in unofficial capacities. In some measure the activity of the Fifty-ninth Congress is attributable to these visits.

In the third place, the center of Alaska's population was shifting northward, toward the Tanana valley and Seward Peninsula, and this shifting led directly to the establishment of a remarkable system of communication between the different parts of the territory and with the outside world as well. Before the richest placers around Nome had begun to decline in 1907 prospectors were scattering widely over the various river valleys of the Alaska mainland; wandering along the Yukon and its important tributaries as well as working northward from the southern side of the divide into the Copper River and Susitna basins. They found the richest strike of the period near the Tanana valley, not far from a point where the town of Fairbanks subsequently grew up,⁴⁷² about two hundred miles above the junction of the Tanana and the Yukon. The government geologists had meanwhile ascertained the existence of large coal and copper deposits further south, at the head of the Gulf of Alaska in the Cook Inlet and Prince William Sound country. These coal and copper deposits had attracted big investors, as well as small miners who expected to sell out to them. Tin, in the western section of the Seward Peninsula, was another attraction, among lesser ones. All of these discoveries acted as so many lode-stones, drawing men as well as capital.

⁴⁷² The town of Fairbanks was located in violation of the laws of geography and economics, thereby working a hardship upon the placer industry feeding into it. It is now the terminus of the government railway in the Tanana and the center of a farming region, with the gold camps on the north and Nenana coal fields on the south.

But as the settlements which resulted were very far apart and the stakes involved were very high, the War Department assumed the duty of establishing a thin line of garrisons along the Yukon and the Tanana, over the divide and into the Copper valley, and set about to connect these garrisons by telegraph. The telegraph plan grew into one including cable connections with the United States, an improvement for which Senator Perkins had long been at work, on behalf of the Pacific Coast Steamship Company. So vast a project was unique in the annals of telegraphic engineering, in respect to the immensity, remoteness, inaccessibility, climatic severity, and uninhabited nature of the region to be served. But the Signal Corps vigorously attacked the almost insuperable difficulties which faced it, and under the leadership of Major-General A. W. Greeley erected shortly a marvelous monument to its skill, fortitude, and courage. It built a system of communication which "brought southeastern Alaska, the Yukon valley, and the Bering Straits region into telegraphic communication with the rest of the civilized world."⁴⁷³ That telegraph they at once threw open to the public for commercial and private use.

As construction progressed, new settlements sprang up along the line of it and business grew so fast that private interests soon sought to buy the system. They had bills introduced for that purpose, but without success, because such an outcome was not in line with the policy of government proprietorship into which the

⁴⁷³ The magnitude of the task of the Signal Corps is described in "Repts. of the War Dept., 1904," 58C:3S., *H. Doc. 2* (4781) pp. 21-25 and (4782) pp. 359-369. The system united in one whole, 2,261 miles of cable, 1,497 miles of land telegraph and 107 miles of wireless. It "involved not only the telegraphic unity of American territory on this continent but also American ability and resourcefulness in a new field." The tolls from the system swelled the total to Alaska's credit in the federal treasury.

administration was drifting as regards Alaska. Therefore the War Department remained in charge of the telegraph, and the federal government continued to profit by the funds accruing therefrom. At the same time the War Department was at work on transportation, building wagon roads and trails, through the Commission established by the Nelson Act. At this task it was less successful because dependent for funds upon special appropriations and the constantly inadequate "Alaska Fund." They succeeded in doing enough for transportation to emphasize the need for a great deal more, and they thus made it possible for the interior to acquire a growing and a class-conscious population, as the political events of 1906 were to prove.

An Alaska Convulsion, Seattle, November, 1905

The year 1906 began, as far as the Alaska home rule movement was concerned, in November of 1905, when an Alaska-Seattle convention was held to prepare a program for the Fifty-ninth Congress.⁴⁷⁴ A democratic and public-spirited suggestion had come from the "Council City Improvement Club" that a convention be held in Alaska or at Seattle to secure concerted action for a delegate to Congress. One delegate to the convention was to be elected for every five hundred of population; and the pious hope was expressed that the meeting might take place in Alaska, that there might be universal participation in the selection of delegates to it, and that it might thereby represent all classes.

Such an outcome was utterly impossible: Alaska's geographic, economic, and political environment for-

⁴⁷⁴ Material for this account was gathered from contemporary newspapers of Alaska and the state of Washington, hearings, testimony, and private recollections.

bade it.⁴⁷⁵ Delegates from the interior must travel via Seattle to reach the Panhandle and inducements were offered for them to stop in the former place rather than go on to the latter. The modest miner of the interior could not afford to take such a journey and must deliver his proxy, if elected as a delegate, to some mining investor or politician of his locality who had reasons of his own for spending the winter "outside," at Seattle or Washington, D. C. On the other hand, the Panhandleites resented the new airs of prosperity which the north was taking on, were not greatly interested in coöperating with the interior and were in no state of mind to take part in a convention which should acknowledge the loss of Panhandle ascendancy. Nor was the north inclined to coöperate in its various parts: for although the people of the Seward Peninsula were strongly led to harmony among themselves by two officials of the Northern Commercial Company, the residents of the Tanana country were bitterly divided as between those friendly to Judge Wickersham and those reminiscent of cases lost in his court. On the whole, the obstacles in the way of anything like territorial coöperation seemed insuperable.

All obstacles to the contrary notwithstanding, a meeting was called for November 15 at Seattle; and at that time the chief metropolis of Puget Sound became the

⁴⁷⁵ The territorial papers spared Seattle nothing. The *Nome Gold-Digger*, quoted by *Dispatch*, Sept. 25, 1905, explained that the convention would be held outside of the territory because the Seattle pull, the question of convenience to a few politicians with an ax to grind, and the representatives of corporations, all willed it so. "But after all is said and done, we do not believe the convention will 'cut much ice.'" The same paper, quoted by *Dispatch*, May 2, 1906, sagely remarked that the members of the convention were more anxious for notoriety and office than for the good of Alaska. The *Dispatch*, Mar. 8, 1906, alleged that the first chapter of the Seattle scriptures commenced, "In the beginning Seattle created Alaska and its commerce."

painful scene of what can rightly be termed an Alaska convulsion. For eight days, from November 15 to November 23, there was gathered at Seattle a body of men which included in its membership not only a few *bona fide* Alaskans, but many persons whose right to the title depended solely upon the fact of property ownership in the territory. The preponderant influence lay with the larger group. The proceedings of the meetings were mutilated by personal, sectional and political rivalries, with catastrophic results: for, although the convention showed a fine spirit in making ex-Governor Swineford chairman, and ex-Delegate Price head of the resolutions committee, they ignored the pleas of both those gentlemen for harmony. All the active participants put themselves on the defensive and lost their heads as well as their tempers in acrimonious wrangling over whom they should choose as delegate to present a memorial to Congress. The enemies of Wickersham opposed the election of anyone who might favor the long-delayed confirmation of that Judge, and the corporation interests wished a man who would be safe on the question of territorial government. When a sufficient state of exhaustion had been reached the convention compromised on three delegates, thereby destroying whatever chance there might have been for the recognition of one. From the first division, the Panhandle, they chose ex-Governor Swineford, ardent apostle of territorial government.⁴⁷⁶ From the second division, Seward Peninsula, they acclaimed Richard Ryan, of the Nome group, a promoter of small trans-

⁴⁷⁶ From the Panhandle but eleven persons were present and but five additional proxies sent, for the reason (*Dispatch*, Feb. 26, 1906) that the trip to Seattle "was a public duty without financial reward and none would assume it." Swineford's election as delegate annoyed those who resented his belief in the potentialities of the northern part of Alaska, and the Juneau Douglas-Treadwell interests who opposed his main thesis.

portation companies, who had no desire whatever for territorial government at that time, favoring rather a commission form of government advocated by Representative Tawney.⁴⁷⁷ For the third division, through the manipulation of the Fairbanks delegates, the opponents of Wickersham by a vote of forty-two to forty-one barely secured the election of Mr. O. J. Humphrey, a Seattle ship captain innocent of any knowledge of the interior.⁴⁷⁸ These gentlemen all went to Washington⁴⁷⁹ with credentials from the convention, interviewed the President and testified before committees of Congress; but the policy of each was so unlike that of the others that they did nothing so well as represent the disunity from which they had sprung.

In justice to the Seattle convention, however, we must note the fact that it sent a vote of thanks to Roosevelt, adopted a memorial and endorsed a number of resolutions—things in which the convention took the least interest, did the best work, and exercised the greatest influence. The “thank you” to the President referred to his mention of Alaska in his previous message and requested him to continue along the same lines “pending the granting of self-government which the people of Alaska demand.” The memorial was all-inclusive, being addressed to “The People, the Con-

⁴⁷⁷ Ryan was strongly supported by W. T. Perkins, another Nome delegate, who was affiliated with the Northwestern Commercial Co.

⁴⁷⁸ Opposition to Wickersham was led by R. V. Nye who succeeded in splitting the Tanana delegation and in ignoring telegrams of instruction from that region. Nye had lost a case before Wickersham.

⁴⁷⁹ Ryan and Humphrey were able to pay their own expenses. Swineford, being less affluent, was assisted chiefly by contributions from Ketchikan, Skagway, and Nome, collected by popular subscription. Juneau gave little, thinking Swineford lukewarm toward Juneau as the capital. A Juneau meeting had passed resolutions against the naming of a delegate from the Seattle convention and asking that body to refer its nominations back to division conventions. *Dispatch*, Dec. 28, 1905.

gress, and the President of the United States." It briefly mentioned conditions and demanded "the application to Alaska of the fundamental American principle of self-government and elective representation in Congress." In it the pioneers announced, "We ask no help or favors but only to be allowed to work out our own destiny and do our share in contributing to the prosperity and welfare of our common country."

Of this "fundamental American principle of self-government," no definition was attempted, because the Seattle proxy convention was far removed, in both spirit and person, from the local Alaska meetings at which the original delegates had been chosen.⁴⁸⁰ No mention was made of Governor Brady, likewise, for fear of offending the President, the Interior Department and certain senators. But the memorial made twelve definite requests for urgent relief measures: they had to do with improvements in the mining laws, intercommunication, and the judicial system.⁴⁸¹ They

⁴⁸⁰ Most of the local meetings had gone on record as in favor of the passing of a law for the immediate election of three delegates: those at Nome, Skagway, and Ketchikan favored territorial government and the ousting of Brady. It was the general sentiment of all the meetings that a convention in Alaska would have been preferable and should be the rule for the future. The most detailed account of the Seattle convention is contained in the *P. I.* and the *Times* of that city, the former carrying excellent cartoons on the convention. It also well described the state of mind of the delegates in quoting, Nov. 23, 1905, a conversation concerning two of them. When things were at their worst a delegate approached Swineford: "Now the way I understand this proposition," said the delegate, "what are they going to do next?" "That's just the way I understand it," replied Swineford.

⁴⁸¹ The twelve were as follows: improvements in mining laws so as to abolish power of attorney, limit the number of claims owned by one person on a creek, and change the provision for \$100 worth of annual assessment work to a provision for a fee of \$25 cash to be used for roads; application of telegraph earnings to extensions of the system rather than to the federal coffers; transfer of excess powers from the judges to civil officers; increase in the number of judges and establishment of an appellate court; substitution of salaries for fees in payment of government officials; abolition of the

did not include requests of special communities, which were embodied in resolutions, also endorsed by the convention. Of the memorial and the resolutions over one thousand copies were printed and sent to national officials and daily papers throughout the country: they were explanatory of Alaska, if not of the convention, and helped both to enlighten the public and to manufacture editorial sentiment.

Delegate Bill Passed – May, 1906

Primarily the platform upon which the delegates of the Seattle Convention were sent to Seattle was economic rather than political, as territories are likely to be more frank in such matters than are states. It demanded certain specific changes in the mining laws and improvements in the means of communication, which should redound to the benefit of Alaskan industry. It was, economically speaking, fairly representative of the majority wish in Alaska. But from the point of view of politics, neither the platform nor the delegates truly stood for the Alaska majority. For the platform failed to specify not only how "the fundamental American principle of self-government" should be applied to Alaska, but when the demand for "elective representation in Congress" should be satisfied. Nor were any of the delegates ardently in favor of the single political ambition of Alaskans – the immediate election of a delegate without territorial organization.⁴⁸²

\$100 per mile annual railroad tax; establishment of base lines and meridians to facilitate homesteading; increases in lighthouses, postal facilities and public buildings; and placing of natives under care of the governor.

⁴⁸² Swineford was frankly opposed to this, as believing such a delegate would be in no position to carry out the wishes of his constituents. His election would only mean that all local differences would have to go to Congress.

Yet that was precisely what Congress at once gave Alaska. Governor Brady had begged his people to qualify as "graduates from the school of patience" until such time as the large and conflicting lobby should force Congress "to grant a delegate in self-defense."⁴⁸³ He had detected a perceptible movement in that direction and believed that when the discomfiture of the legislature infected the executive the time would be ripe for a change. Of late Roosevelt had been assiduous in his attempts to understand the Alaska complex, but the results had been eminently unsatisfactory to him, especially in connection with the patronage.⁴⁸⁴ Therefore, whatever his reaction to the Valdez telegram, when the time came for his Fifth Annual Message he was ready to stress "the one recommendation of giving to Alaska someone authorized to speak for it" – preferably elective, but if not otherwise possible, appointive. He made it clear that at least the executive wished to confer with "some person whose business it shall be to speak with authority."⁴⁸⁵

Roosevelt's earnest petition for an elective delegate fell on ground prepared to receive it and soon bore fruit. The House of Representatives, through the attentions of Francis E. Cushman of Washington, had been ready for the step three years, having twice passed bills of such a character.⁴⁸⁶ The Senate had been stirred from its inertia by Nelson; Platt had passed away;⁴⁸⁷ and the only senator inclined to keep to his prejudices, Lodge, was induced to renounce them.

⁴⁸³ *Gov. Rept.*, 1904, p. 35.

⁴⁸⁴ The Senate had persistently refused to confirm his equally persistent reappointments of Wickersham as judge for the third division and even minor patronage fights were brought to him because there was no strong party machine in the territory.

⁴⁸⁵ Fifth Annual Message, Dec. 5, 1905.

⁴⁸⁶ Jan. 23, 1903, and April 25, 1904: *v. supra*, pp. 212, 230.

⁴⁸⁷ April 21, 1905.

Both bodies had acknowledged the universal desire of Alaskans for a delegate and the majority fiat that he should be elected. Neither could deny that the recent Supreme Court decision had put them under obligations to do something for Alaska. Therefore, a bill for one elected delegate speedily and without further remarkable incident became law.⁴⁸⁸

Economic Legislation with Political Consequences

Except for the delegate law, the Fifty-ninth Congress did not trouble itself greatly with political legislation for Alaska. It was more concerned with bills treating industrial conditions; these, however, were politically important because of developments dependent upon them.

The big plans which had been made for the presentation of the Seattle memorial, resolution, and delegates

⁴⁸⁸ *Repts. 1472* (4906) and *3613* (4907). The first of these reports reviewed the legislative attempts to provide for an Alaska delegate and summed up the situation as understood by the Com. on Terr. *S. 956*, introduced by Nelson, was modified in conference along the lines of Cushman's *H. R. 8119*. The main features of the law were as follows: Alaska's delegate to have the same salary and privileges as other delegates except that in lieu of allowances he was to receive \$1,500 mileage to cover all other expenses except stationery and clerk hire (this because of the distance to be travelled); election to be on the second Tuesday in August (to accommodate election returns to the climate of Seward Peninsula); at the first election (1906) two terms to be filled, one for the remainder of the 59th Congress and the other for the whole of the 60th; suffrage restricted to male citizens of the United States, twenty-one years old, resident in the territory the entire year and in the precinct thirty days immediately preceding the election; voting precincts to be established only in the commissioners' districts (all other regions presumably lacking a voting population); registration or Australian ballot not required (as being too complicated for use in a pioneer community); expenses of election to be paid from the funds of the district court. The law differed from the earlier bills passed by the House in that it did not require Alaskans to devise ways of their own for meeting election expenses and refused the suffrage to residents not citizens of the United States.

to the national administration and legislature had largely failed. The memorial met a chilly reception in the House ⁴⁸⁹ and found a place in the *Record* only after the Senate had permitted Piles of Washington to have it read and referred to the Committee on Territories. The delegates were extended only those courtesies which were strictly unofficial. The main program of the Seattle Convention, for changes in mining laws and improvements in transportation also fared badly, for these matters concerned business groups which were in some cases powerful and in all persistent.

As regards the democratization of the mining laws, it was futile to expect it to the extent demanded in the memorial; yet some approaches to that end were made. For example, the burden of proof for the performance of assessment work was thrown upon the claimant, thus tending to throw open to relocation claims formerly held by fraudulent means; ⁴⁹⁰ land offices were reëstablished at Nome and Fairbanks, so as to obviate the delay of sending records to Juneau; ⁴⁹¹ the Nelson Road Act was so amended as to better adapt the road commission to the expanding needs of the territory and furnish it with larger funds; ⁴⁹² and the miners of coal were given permission to consolidate their claims to a limited extent for the purposes of practicable operation. ⁴⁹³ However, the work done by the Fifty-ninth

⁴⁸⁹ When Cushman tried to insert the memorial in the House proceedings objection was made by S. E. Payne of N. Y., *v. Cong. Rec.*, p. 1305.

⁴⁹⁰ Act of Mar. 2, 1907 (*34 Stat. L.*, 1243); *H. R.* 8984, *H. R.* 292 (4906).

⁴⁹¹ Act of Mar. 2, 1907 (*34 Stat. L.*, 1232).

⁴⁹² Act of May 14, 1906 (*34 Stat. L.*, 192) *S.* 3522, *S. Rept.* 690 (4904). An appropriation was also made for the survey of a mail and pack trail to connect the Tanana and Seward Peninsula, from Fairbanks to Council City. Act of June 20, 1906 (*34 Stat. L.*, 316).

⁴⁹³ *V.* 59C:2S., *H. R.* 17415, *S. Rept.* 6949 (5061).

Congress⁴⁹⁴ for the Alaska mining industry was on the whole unsatisfactory to the small miner and failed to allay his discontent. A like failure marked the efforts of Congress on behalf of a closely related industry, railroading, which became so intimately connected with the dominant features of Alaska life, including the home rule movement, that particular attention must be given it.

Transportation and intercommunication stood out as the greatest needs of Alaska, then as now. Everyone who had visited the territory or made a study of it, knew that its development depended upon railroads. Roosevelt, in his Fifth Annual Message, had declared it the duty of the government to "aid in the construction of a railroad from the Gulf of Alaska to the Yukon River, in American territory;" he was generous with his interviews to promoters and made it appear to some of them that he had favored a guarantee of bonds. The Secretary of War, W. H. Taft, and the head of the Alaska Road Commission, Wilds P. Richardson, were convinced that subsidy was the only way to secure the building of a trunk line in Alaska. There were at this time six public carriers and one private road in operation and half a dozen more projected.⁴⁹⁵ But there was little active building going on, primarily because it was impossible to acquire title to the valuable coal

⁴⁹⁴ In addition to the legislation noted above, the House passed the following bills: enabling towns to modify their boundaries, permitting appeals to be taken to Seattle in preference to San Francisco, protecting game from sportsmen and salmon from fish pirates; all of which died in Senate committees. The Senate had similar experiences with bills for: a subsidy for the A. Y. P. Exposition at Seattle, a bridge at Nome, salmon preservation, and two lighthouse bills. On the other hand, the amount appropriated for Alaska purposes was increasing; *v.* Index (34 Stat. L. iii).

⁴⁹⁵ One railroad (the Copper River and Northwestern) was under actual construction. "*Geol. Survey Bull., no. 379, 1909.*" 60C:2S., *H. Doc., 1522* (5462) p. 25.

lands along the most important of the proposed routes. Development of such lands for the purpose of tonnage and fuel, rather than any altruistic desire to connect the interior with the seaboard, was the real objective of the companies. In any case, the Homestead Act of 1898 had imposed rigorous restrictions upon railroad building.⁴⁹⁶ It limited the time for construction of a railroad to a period which was too short, considering the climatic factors involved; and in addition it imposed an annual tax of one hundred dollars upon each mile in operation, whether or not the road was upon a paying basis. Congress had from time to time remitted these impositions in the conviction that they worked an unfair hindrance to capital as directed toward railroad building in Alaska. The Fifty-ninth Congress obeyed precedent, passing laws for the remission of fees in four cases and extending the time allowable for construction in an equal number of instances.⁴⁹⁷ But the general act remained unamended at the same time that Congress was growing impatient with the lobbyists who were seeking exemptions from its provisions. Hearings at which exemptions were asked for showed how railroad promoters financed schemes for bringing "the wrongs of the people of Alaska" before Congress in order to advance their own projects.

Nature had so placed the resources of Alaska that they could be tapped only through the ice-free ports of the Pacific seaboard on the Gulf of Alaska, and that via either the Copper or Susitna River basins; icy seas, mountain ranges, and glaciers barred other means of

⁴⁹⁶ Act of May 14, 1898 (30 Stat. L., 409) *v.* also *supra*, pp. 154 ff.

⁴⁹⁷ The railroads so favored were as follows: Alaska Central, Alaska Short Line, Council City and Solomon River, Tanana Mines, and Valdez Marshall Pass, and Northern. Of these the Alaska Short Line received only an extension of time and the Tanana Mines only exemption from tax: the others received both benefits from this Congress.

approach. Towards the Susitna, one road, the Alaska Central as it was called in 1906, had begun construction; Fairbanks was its announced objective, although it was started purely as a real estate boom for the town-site of Seward. Up the Copper, four companies were trying to pass with Eagle or Fairbanks as their announced objectives; one of these, the Copper River and Northwestern, had proceeded further than the others with its surveys; two other companies wanted to start from Katalla toward the Copper River valley some distance up the coast. Into the midst of these plans was injected another – to incorporate by special act of Congress a company to be known as the “Alaska Railroad Company,” and give it peculiar inducements to connect speedily the Gulf of Alaska (via the Copper River) with the Yukon, at a point near Eagle. This proposition caused a flurry of alarm amongst the railroad lobbyists and furnished another illustration of the complications in the Alaska railroad situation. It perturbed ex-Senator George Turner of Washington, who was interested in the Alaska Central. It brought protest from ex-Representative John Shaforth of Colorado who was temporarily connected with the White Pass, which was in turn affiliated with the Copper River and Northwestern.⁴⁹⁸ But the chief disturbance of all came from David H. Jarvis.

Mr. Jarvis was one of the outstanding figures in Alaskan affairs at this time. He had first attained prominence for splendid public service as an officer of the revenue cutter service in the trying days of the Klondike. Some of his best work was done as lieutenant in charge of the relief expedition to the whalers at Point Barrow in 1898. Then at Nome in 1899 he

⁴⁹⁸ 59C:1S., *Cong. Rec.*, pp. 8337 and 7202.

again demonstrated his ability to protect the public against itself in sudden exigencies. Next he placed the customs service of Alaska on a firm basis, as chief collector from 1902 to 1907. During this period he thoroughly justified the public confidence, and was frequently petitioned to accept the governorship. But in 1907 he suddenly abandoned the public service and accepted an executive position for which Roosevelt had recommended him, with the Northwest Fisheries Company, a corporation also affiliated with the Northwestern Steamship Company, which had the largest share in Alaska's steamship business, and with the Copper River and Northwestern Railroad Company, which had started construction of a line to the copper and coal fields. The importance of his position may be gathered from his modest description of it; he spoke of himself as employed in "commercial, transportation, and other business" in Alaska.⁴⁹⁹

Few if any Alaska lobbyists have enjoyed the prestige which belonged to Mr. Jarvis: further, being possessed of fine executive talents he never failed to use them on behalf of those things in which he was interested. In this case he sent to the Senate a memorial against the special trunk line bill, explaining the unfair advantage which it would give the concern in question over the others which had incorporated under state laws in accordance with the Act of 1898. He insisted that no subsidy was necessary for a road to the copper fields and also that the effect upon the stock market (for the stock of the rival concerns) would be so deplorable as to "in a measure kill all of the enterprises heretofore started."⁵⁰⁰

⁴⁹⁹ *V.* 59C:1S., *Cong. Rec.*, pp. 4073-4074.

⁵⁰⁰ The Jarvis memorial is given in 59C:1S., *Cong. Rec.*, pp. 4073-4074; *v.* also *S. 191, S. Rept. 1077* (4904) *S. 6358, H. R. 18337* and *H. R. 18891*,

Naturally enough, Congress could show no haste to pass a subsidy bill as long as several companies were insisting upon their eagerness to furnish transportation to the interior without subsidy; the trunk line project was killed; and the rival firms continued their jealous and confusing attack upon congressional committees. Alaska shuffled along transportationless, with the railroad problem reappearing at each session of Congress thereafter.⁵⁰¹

In the midst of the railroad agitation there was passed a fisheries bill which was later to become important for political purposes, as affecting the home rule movement. The House Committee on Territories, which had become for all practical purposes a committee on Alaska, conferred with the Department of Commerce and Labor, the Bureau of Fisheries, David Starr Jordan, and the leading salmon packers, as to how to conserve the diminishing supply of that famous product. A bill was drawn up containing several innovations, chief of which was one suggested and written by C. W. Dorr of the Alaska Packers' Association. His provision offered to each private concern which should conduct a hatchery under certain specified conditions a rebate off the business tax paid on the annual output. It amounted to four cents per case for every thousand fry liberated. All interests "fully agreed upon the

H. Rept. 3874 (4907). The most revealing discussion of the railroad situation as faced by the 59th Congress is contained in printed *Hearings* of the H. Com. on Terr., dated, Jan. 8, 19, 31, Feb. 6, 13, 14, 15, 19, 20, and Mar. 1, 1906, and Jan. 24 and 29, 1907. During the 3rd session of the 58th Congress the H. Com. on Terr. collected interesting material at the *Hearings* of Feb. 2, 6, 9, 1905, and the S. Com. on Terr. at *Hearings* of Jan. 27, Feb. 10, 1905.

⁵⁰¹ The first Congress to attempt a constructive solution of the Alaska railroad problem was the 63rd, from which attempt there developed the government trunk line now in operation. The story of the location and construction of that line is most dramatic.

fairness and efficiency of the proposed bill."⁵⁰² Mr. Jarvis gave his assistance, and the measure became law.

To what degree it accomplished its purpose of conserving the salmon supply has never been definitely determined. At any rate, the policy of encouraging private hatcheries was abandoned after a few years. But while the rebate was effective, it tended to diminish somewhat the "Alaska Fund" from which the territory was supposed to support her insane, her rural schools, and her Road Commission. Politicians exploited this fact for popular purposes, by speeches and in platforms; and there was established a breach between public opinion and the canning interests. At the time of its passage, the law was generally considered a measure of conservation, because Congress had refused money for government hatcheries and depletion of the fisheries was feared; but it became a political weapon very shortly, because some few Alaskans were studying their situation and laying plans for their own salvation.

*Birth of Alaska Politics, August, 1906*⁵⁰³

From the foregoing it can be readily surmised that life in Alaska had become a more uncertain quantity

⁵⁰² The history of the 1906 rebate was reviewed by Mr. Dorr for the benefit of the H. Com. on Terr. at a *Hearing* on April 26, 1912. Two officers of the Bureau of Fisheries did not approve of the rebate but conceded it to save the other provisions of the bill, which became the Act of June 26, 1906 (*34 Stat. L.*, 478); *v.* also 59C:1S., *H. R. 13543, H. Rept. 2657* (4907). Twelve days earlier Congress had passed an act (*34 Stat. L.*, 263) which protected American salmon concerns from Japanese competition and expressly declared the right of American packers to employ Chinese laborers in Alaska; *v. S. 267, H. Rept. 2485* (4906).

⁵⁰³ The following account of the first election is based upon territorial and Puget Sound papers, the *Alaska Monthly Magazine*, the *Alaska-Yukon Magazine*, the *Boston Alaskan*, and election dodgers circulated by the Miners' and Democratic Central Committee of Nome.

than ever. What with a change of governors, special representatives of Roosevelt coming up to ask the people what they thought of his appointees, the delegate election coming on and the war of the railroads, public opinion was in a turbid state. The period was one of attempted readjustment to the new order of things political and economic.

Before Congress had passed the delegate bill, it had become patent that the days of Mr. Brady as governor were numbered. For more than eighteen months he had been interested in a concern known as the "Alaska-Reynolds Development Company," allowing his position and known honesty to be capitalized by a promoter for business purposes. At the start (June 30, 1904) he had sent out an open letter "To Investors;" and soon he had accepted a position on the company's directorate and his name and title were occupying prominent places in the prospectus. Finally he became involved in a difference with Judge Wickersham and the governor's business affiliations were brought prominently before the Secretary of the Interior, E. A. Hitchcock. The result was that Brady, under advisement, withdrew his name from the list of directors and the advertising matter. But he retained his stock, and was advertised as "unwaveringly loyal"⁵⁰⁴ to the company,

⁵⁰⁴ *Dispatch*, July 6, 1905. Sidelights and comments on the Alaska-Reynolds beginnings are to be found in all the territorial papers throughout the year 1905 and the first half of 1906. The Seattle press had much to say also. Alaskans were inclined to pity the governor for his simplicity at the same time as they deplored his lack of judgment and welcomed his removal. Perhaps the typical attitude was that expressed by the *Dispatch* of Mar. 16, 1905, which, in commenting upon the "fool letter of endorsement" could find no explanation for it "unless those gosh darn bunco sharps of the East have conned the grand old man." Shortly before his resignation, Brady enjoyed a degree of vindication of some of his policies in the passage of a measure permitting Indians to acquire homesteads; Act of May 17, 1906 (*34 Stat. L.*, 197) *v. S.* 5537.

with the prospect of returning to the fold upon the completion of his term of office.

The term of office, which under normal conditions might have run two more years, came to an abrupt close. President Roosevelt, concerned with charges against the reindeer service as conducted by Doctor Jackson, had sent up a special agent to investigate that service and the schools; the agent included Brady in his report. On the findings, Roosevelt felt it advisable, for the good of the Alaska service, to change the governor and the general agent. These developments marked the end of hierarchial prominence in territorial affairs. The Presbyterian Church had exercised an influence second only to that of the commercial companies during a quarter of a century of Alaska's history: it had expended its energies mainly upon the spiritual and economic regeneration of natives and had done especially good work in bringing Alaska prominently before the country in connection with a reindeer service established on behalf of the Eskimos. But during the last decade Alaska had become a country of white prospectors, geological experts, partisan politicians, and investment companies, with which the church had no points of contact; so it slipped down and out, "for the old order changeth, yielding place to new."⁵⁰⁵

⁵⁰⁵ The investigation was made by Frank C. Churchill and his report is popularly named after him. It described the condition of education, the management of the reindeer service, and the state of public opinion as to both, as found by him during an extended trip taken the summer of 1905. It demonstrated that the schools and the reindeer service had suffered from misuse of funds and general mismanagement. It did not prove that either of these faults was due to dishonest motives on the part of Doctor Jackson; but his enemies so construed it. In self-defense he made reply, through the Commissioner of Education, W. T. Harris, to the original report and the documents supplementary thereto. The Presbyterian Board of Home Missions rose in defense of their organization and official, putting out a state-

With the removal of the last vestiges of the hierarchy there went those elements of friction which depended upon it; such problems as pertained to the vacated offices, irrespective of their personality, remained. However, Brady's successor, Wilfred B. Hoggatt, who was appointed in March of 1906, made an auspicious start. He had been a naval officer in the hydrographic survey in the Panhandle and had acquired an interest in a gold mine adjacent to Juneau; therefore his appointment was welcomed, because he was regarded as an Alaskan and promised a change from religious to business administration. His attitude toward territorial government was thoroughly understood to be one of opposition; but that fact aroused little comment at the time, because the average citizen had been hoping only for a change and cared little who got the place as long as he was not a carpetbagger.⁵⁰⁶ At the outset the governor's conduct was extremely sagacious. When Roosevelt called him to Washington immediately after his confirmation to assume the difficult rôle of adviser on pending legislation, he succeeded in avoiding any definite stand likely to alienate anyone.⁵⁰⁷ When he returned to Juneau, which the

ment which was sent for publication to newspapers designated by Doctor Jackson for the purpose. In this manner the fray was brought to the attention of the Senate and spread into outside gossip as well. Jackson secured possession of many copies of the documents; *v.* 59C:1S., *S. Doc. 483* (4931). The newspaper accounts of this affair were very numerous in Alaska, Seattle, and Washington, D. C., and generally show prejudice one way or another. The official statement of the Board was published in the *Dispatch* of Dec. 18, 1906. Additional insight into this episode was obtained by the writer from material supplied by Miss Leslie Jackson.

⁵⁰⁶ Much was said against carpetbaggism at this time and most of the candidates supported by Alaskans were men of the territory. A notable exception was Jarvis, who enjoyed the respect and confidence of most Alaskans and whom the Juneau people supported in the hope that he would anchor the capital safely in that town: Roosevelt urged him to accept the position, which he refused for financial reasons.

⁵⁰⁷ It was understood that he wished to avoid conflict with the delegates

Attorney-General had finally decided was the official residence of the governor, he won popular favor by asking that the funds which were to have been expended upon a reception in his honor should be sent the earthquake sufferers at San Francisco. Next he made an extended journey from Skagway into the interior, down the Yukon, over to Fairbanks, back to Nome, and around to Valdez and Seward, and the neighboring scenes of railroad activity – a trip such as no previous governor had attempted. Throughout the journey all Alaska shouted, "Hail Hoggatt" in the belief that he would help in removing the fungus from the territory's growth and would aid in eradicating sectionalism. He took care all the way to remain uncontaminated by the disputes of the delegate election then in process.⁵⁰⁸

It was well that he did so, for the first Alaska election had received a legacy of personal rancor from the Seattle Convention and set an example for spice which its more virulent successors ably followed. Alaskans knew that party politics should be a thing of no concern to anyone interested in the welfare of the territory, and had therefore sometimes succeeded in making their municipal contests non-partisan. It was now suggested that the delegate should be nominated by non-partisan means. But this notion was displeasing to "Seat-

from the Seattle convention and to inform himself more thoroughly before taking a definite stand on the points at issue. A bill which would have made him responsible for the appointment of commissioners, heretofore named by the judges, he declined to support; *v. Dispatch*, Mar. 27 and April 18, 1906.

⁵⁰⁸ Hoggatt described his trip in his 1906 report, 59C:28., *H. Doc. 5* (5119): this report, together with his letters to Roosevelt, *H. Doc. 14* (5069), present his notions of Alaska's political and economic needs. The comment of the Alaska press upon his first summer's journey is contained in the papers of July and August, 1906. Hoggatt had no faith in the interior except as a temporary residence of the placer miner and he regarded the agriculture of Alaska as moonshine.

tle-Alaskans" (persons so called because of the fact that they possessed interests in Alaska but resided in Seattle) who encouraged the young and feeble Republican organization in the Panhandle to try out its strength in the first election.⁵⁰⁹ When the Republicans announced their intention of holding a nominating convention, the Democrats felt impelled to follow suit. Both groups ignored the warning of the capital's leading paper that their platforms would be practically identical, that the predominating differences of the election would be sectional and personal, and that the greatest factor in the fight would be the vote of the Miners' Union of the interior and Nome, which could solidly elect a candidate. Although but three months remained between the passage of the delegate act and the date set for the election (May 7-Aug. 14) two insignificant party conventions were held and nominees hastily campaigned the interior, the Seward Peninsula and the Panhandle.⁵¹⁰

⁵⁰⁹ Those with special interests to serve "were understood to be encouraging Republican and Democratic tickets" in the hope to capture, through campaign contributions and otherwise, both organizations;" *Skagway Alaskan* (quoted by *Dispatch*, April 7, 1906). The *Dispatch* of May 22 asked everybody to "just drop this nomination jobbery and give the territory a square deal," a point of view similar to that expressed by the *Council City News*.

⁵¹⁰ The Republicans met at Juneau July 14 and named a Nome mining lawyer, C. D. Murane, for both terms, forcing the disappointed candidates not to bolt for fear of strengthening the miners' ticket. "False statements, forged proxies, and attempts at trading the capital" featured this meeting, according to the *Seward Gateway*, Aug. 20, 1906. This convention was no more representative of popular feeling than was that of the Democrats which took place two days later in the same town. They nominated a Coppermount mining lawyer (H. W. Mellen, brother-in-law of the governor) for the long term and ex-Governor Swineford for the short term. The Nome nominations of both parties indicated the desire of the Panhandle to affiliate with the peninsula in order to defeat the interior; as it was understood that no Panhandle candidate who ran for both terms could be elected, one of the popular Republican officeholders of that locality (Marshal J. M. Shoup) was put out of the running.

Their efforts proved futile as foolish, because the miners of the Seward Peninsula and Tanana regions (comprising roughly the second and third divisions) realized their strength and combined to wield it. They agreed to divide the long and short terms between them, trading upon local pride and class consciousness for mutual support of their respective nominees. For the long term the Tanana miners, on the seventeenth ballot, chose Thomas Cale, a middle-aged, popular, but financially unsuccessful, pioneer from Wisconsin. He was an honest man of mediocre ability. For the short term, the Seward Peninsula miners, with the coöperation of the Democrats and Independent Republicans of the Nome region, named Frank Waskey, a young and prosperous prospector from Virginia; he was a man of pleasing personality and great enthusiasm, and was not a politician. The campaigns on behalf of these two men were well under way before the party conventions had nominated their men.⁵¹¹ Mr. Waskey does not appear to have left his mining work to engage in his own campaign, as he had claims in litigation.⁵¹² Mr. Cale made a canvass only after the miners had promised to put a man to work on his claim for him and to pay all expenses, as he was without means.⁵¹³ Yet he was able to make a strong campaign, for although there were "no ruffles on Mr. Cale, his apparel or his arguments . . . his willingness to answer questions in a way that [left] no doubt as to his attitude on any and

⁵¹¹ The party conventions had been delayed by the excessively large number of candidates—who had been inspired by many motives in addition to that of patriotism. Some wished the honor of being the first delegate; others wished the power and thought that though they were weak they might be named for the short term if they had a strong running mate for the long; still others were attracted by the cash, \$1,700 in salary and \$1,500 in mileage for a four months session.

⁵¹² *Alaska Monthly*, Sept., 1906.

⁵¹³ *Alaska-Yukon Magazine*, Mar., 1907.

all subjects [was] as refreshing as a Taku wind on a summer day." ⁵¹⁴ The party nominees campaigned industriously; but they found their defeat in the fact that the men of the north had so much mining litigation on their hands that they distrusted lawyers and called them "corporation men." To the chagrin of the Panhandle politicians, for whom the general run of the people had little sympathy, the upshot of the matter was that the miners' men won the day and went to Washington. ⁵¹⁵

For our purposes the most important aspect of the first Alaska election is the platforms on which the various candidates went to the people. The Waskey-Cale platform was adopted by the miners of Fairbanks, endorsed by the miners and Democrats of Seward Peninsula, and constituted, they said, their "own distinctive Bill of Rights." ⁵¹⁶ It asked the support of the voters of all sections for the following: the election of an able

⁵¹⁴ *Dispatch*, July 23, 1906: his admirers professed to see in Cale a likeness to "Abe Lincoln."

⁵¹⁵ Returns of election, as on file in office of Governor:

<i>Short Term:</i>	Waskey	Swineford (Dem.)	Murane (Rep.)
Div. I	216	936	389
Div. II	1571	71	873
Div. III	3062	565	990
Total	4849	1572	2252
<i>Long Term:</i>	Cale	Mellen (Dem.)	Murane (Rep.)
Div. I	952	578	387
Div. II	1470	106	921
Div. III	3397	409	1016
Total	5819	1093	2324

When the returns had demonstrated that the first division had cast less than one-third as many votes as the third, the *Dispatch*, Aug. 16, 1906, sadly reflected that Juneau had been taught her real place in politics: "It is hard to see how we can expect to have any word in the administration of our public affairs if the voting strength of the whole territory is to remain as it is."

⁵¹⁶ *Council City News* (quoted by *Dispatch*, June 27, 1906). This paper reminded Republicans, Democrats, and Populists that these demands conflicted in no way with their respective tenets.

exponent of the mining industry; "a territorial form of government at the earliest possible date;" amendment of mining laws so as to restrict power of attorney, regulate assessment work, abolish association claims and specifically define discovery: protection of fisheries: extension of cable and telegraph and the building of a wagon road from the Yukon to the coast; reduction of railroad taxes; aids to shipping; and extensions of the school system.

In this platform there was no plank, except the second, to which the Republicans and Democrats did not feel compelled to say "Me Too." But as to territorial government the Republicans, while proclaiming faith in the general principle, asked that the application of it might be delayed until the population was "sufficient;" they suggested that during the interim an Alaska Commission might be appointed to consist of two men from each division, which should frame a code and urge legislation. This plank was not the real sense of even the Republican convention, having been thrust in by a federal office-holder, Marshal J. M. Shoup.⁵¹⁷ It gave the Democrats an opportunity. They proclaimed a platform attacking the code commission idea as an un-American proposition to which they were "unalterably opposed." They declared "the time now ripe" for territorial government, and named for the short term candidate one who was "noted mostly as the only real, simon-pure discoverer of the worth of self-government in Alaska," Swineford.⁵¹⁸

⁵¹⁷ It was claimed the Republicans nominated Murane before they adopted a platform, because he was under obligation to support a territorial legislature; *Douglas News*, quoted by *Alaska Monthly*, Sept., 1906.

⁵¹⁸ *Dispatch*, July 20, 1906. It should be noted in this connection that Swineford led for the short term in the Panhandle: that he did not do so in the north was due to political jobbery which prevented the acceptance of his name by the Nome miners, in place of that of Waskey. His strongest opposi-

The delegate campaign carried the home rule movement over into a new phase, by furnishing the occasion for the pioneers to get together for a discussion of their interests. The miners talked of the laws governing their industry and the chances that a local legislature might improve them along popular lines. The Panhandle townsmen talked of the ills attendant upon municipal government, insufficient school facilities and burdensome license taxes, with a growing belief in the curative effects of a local assembly. What was growing to be wanted was a legislature with local lawmaking powers, unaccompanied by the usual accoutrements of territorial government in the shape of county organization. Both Waskey and Cale understood that their platform pledged them to work for a legislature,⁵¹⁹ and when they repaired to Washington, for the second session of the Fifty-ninth Congress, the former officially and the latter for purposes of acclimation, they carried that idea with them. In their efforts to secure for Alaska a local legislature they encountered an opposition at Washington which increased the desire for it in Alaska.

Governor vs. Delegate

Shortly before Congress convened, Roosevelt asked the delegate whom Alaskans had elected to Congress,

tion in the Panhandle came from Juneau people who ascribed his lack of enthusiasm for the fastening of the capital in that town to the fact that Nome had subscribed \$300 toward his Washington expenses the previous year. Additional insight into this episode was gained from *Swineford MSS.*, supplied through the kindness of his daughter, Mrs. Shattuck.

⁵¹⁹ The less popular papers denied that territorial government was a real issue in this election. But the majority of the editors were of an opposite opinion, some even taking the stand that it was "the most important plank" in the miners' platform. Mr. Cale, addressing an Arctic Brotherhood reception at Skagway said: "Territorial government stands nearest the heart of every true American in the north and it offers the perfect solution of Alaska's legislative problems;" *Dispatch*, Oct. 23, 1906.

and the governor whom the Secretary of the Interior had brought to Washington, to submit to him written statements as to the political needs of Alaska. This request brought on a clash between the governor and the delegate because of differences in their recommendations. The governor proposed that Congress delay amending the mining laws until a special commission should investigate and make recommendations. The delegate asked Congress to amend the laws immediately, so as to put a stop to the holding of undeveloped ground by speculators: he specified in detail the changes wished by the miners.⁵²⁰ Further, he asked that Alaskans be given home rule (something the governor had not touched) on the ground that justice required it and the election had proved the desire of Alaskans for it. He took care to add that those who claimed that a local legislature would drive capital out of the territory were talking nonsense, because "we want home government that we may protect honest industry and that we may encourage capital to work with brain and brawn to make Alaska a land of homes and of prosperity."

The President then sent Mr. Waskey's letter to Mr. Hoggatt and received a reply in which the governor took issue with the delegate on his statement that "the most urgent need of Alaska politically is that of home government." Hoggatt denied that this issue was clearly drawn at the election. He classified Alaskans as to their attitude. First, "it is the concensus of opinion of the conservative business men of Alaska, almost without exception, those men who are doing the most for the development of the country and making its re-

⁵²⁰ This entire correspondence is included in a seven page document entitled "Needs of Alaska in Matters of Legislation and Government," 59C:2S., S. Doc. 14 (5069).

sources add permanently to the world's wealth, that the time is inopportune for this form of government. They regard the present system as the best possible to meet the present conditions. It is inexpensive, certain, and capable of expansion as the needs of the country justify, but the tremendous area embraced within Alaska, its small population, its widely scattered settlements, the uncertainty of the permanency of the placer camps, would render anything approaching a county organization inordinately expensive and put a burden upon the people who must remain there beyond their present capacity to bear."⁵²¹ Secondly, "a large portion of the agitation for territorial government comes from the saloon element in Alaska, which is desirous of decreasing the burdens now imposed upon that business and at the same time obtain a greater liberty than they now have in the conduct of their business. Another large portion comes from the demagogic statement that our people are deprived of some of the essential rights of citizenship, with which I take a decided issue." This letter, with the two earlier ones, Roosevelt transmitted to the Senate and House, "heartily" commending "the views of Governor Hoggatt to the favorable consideration of the Congress."⁵²²

Too much emphasis cannot be placed upon this document. It effectually limited Mr. Waskey's field at Washington; it made the Governor unpopular in Alaska; and it placed the issue of home rule prominently before the residents of that territory. The work of

⁵²¹ Thomas S. Nowell, a prominent mine-owner of Alaska, summarized for public perusal the arguments against home rule in much the same fashion as had Superintendent McDonald of the Treadwell mines four years before; *Alaska Monthly*, Jan. 1907, v. also *supra*, pp. 207 ff.

⁵²² Roosevelt expressed absolute confidence in Hoggatt's "honesty of purpose, good judgment, and courageousness," *Record-Miner*, Mar. 13, 1907.

Waskey and Cale with individual members of Congress on behalf of a measure for territorial government⁵²³ earlier introduced by Representative Jones of Washington, was largely offset by the opposition of Hoggatt, supported by Roosevelt, Representative Cushman, and Senator Piles. Even their own election returns seemed to bear out the Governor's contentions, inasmuch as less than 10,000 of the 40,000 miners whom Waskey said he represented had cast their votes. It was futile for him to explain how the number voting was affected by distances, the time of year, and the suffrage requirement for residence throughout the previous winter.⁵²⁴ Moreover, Mr. Waskey was inadvertently guilty of the sort of tactlessness that ruins a man in politics, incurring the displeasure of Cannon thereby.⁵²⁵ Finally he gave up his political efforts as futile and diverted his energies toward revising the mining laws and increasing the number of judges, leaving the political battle for Cale to fight in the Sixtieth Congress.

The effect of the Hoggatt-Waskey correspondence upon the popularity of the governor was immediate. The Washington correspondent of the *Seattle Post-Intelligencer*, had so stated the contents of the Governor's

⁵²³ H. R. 3131, introduced the first session: Sulzer had presented another bill, H. R. 330.

⁵²⁴ August is a time of year when it works a great hardship on a miner to leave his claim. The *Skagway Alaskan*, quoted by *Dispatch*, Oct. 29, 1906, estimated that Alaska's total vote was not cast by from twenty-five percent to thirty-three percent. Other papers made similar statements.

⁵²⁵ In an interview at Seattle on his way to Washington Waskey had given an impression of over-confidence in his standing with the Speaker, and a month later publicly criticised him for delay in appointing him to a committee. After he had been in Congress five weeks he was appointed to the Com. on Terr.; he introduced three bills—one for mining laws and two for relief of the Tanana Mines railroad, one of which last became law. The ill feeling between the delegate and the governor was increased by the machinations of the lobby, which was not at all awed by the "authorized representative."

reply to the delegate's letter as to create the impression that Hoggatt had said that all the advocates of territorial government were "saloon men" and "demagogues." The *Dispatch* soon tried to eradicate this impression by cabling the governor's exact words to various papers in Alaska; but the mischief was done. Swineford felt called upon to announce that of the stockholders in his new paper, the *Ketchikan Mining News*, but two were saloon men and they owned but five percent;⁵²⁶ a Valdez mass meeting passed resolutions against Hoggatt and wired other towns that there were "no saloon men present;"⁵²⁷ private persons and public meetings sent to Waskey a flood of telegrams, one of which he quoted as directing him to oppose Hoggatt "whenever possible:"⁵²⁸ an excited editor compared Hoggatt unfavorably with Brady, with the comment that the former was "no more in touch with the average good citizen of Alaska than is a malamute dog with a plan of salvation."⁵²⁹ For a time it appeared that as regards home rule "nearly all the published information on the subject consisted of unbridled criticism and strong language."⁵³⁰ Eventually feeling calmed down and the issue entered into the deliberate stage. The *Fairbanks Northern Light* sent out a questionnaire on territorial government to the leading papers of the territory and published their replies. This demonstrated that the editorial sentiment was decided-

⁵²⁶ *Ketchikan Mining News*, quoted by *Sitka Alaskan*, Feb. 9, 1907.

⁵²⁷ *Dispatch*, Dec. 14, 1906.

⁵²⁸ *Prospector*, Dec. 13, 1906; also other papers. Waskey gave the name of his director in this matter as a Captain Ferguson.

⁵²⁹ *White Horse Star*, quoted by *Sitka Alaskan*, Feb. 9, 1907, the same issue declared, "Old John Brady with all his fogyism and salmon-scented ideas about the noble reds, never allowed his name to smell in the same category with that of Hoggatt."

⁵³⁰ *Record-Miner*, Jan. 26, 1907, one of the administration press.

ly in favor of home rule, especially as regards the willingness of Alaskans to vote in favor of it at the earliest opportunity. Philosophical homilies on the subject became common.⁵³¹

Among the many scurrilous remarks directed at Governor Hoggatt for consistently maintaining the stand he had always held regarding a legislature was one which described him as the "rubber stamp" of the corporations;⁵³² and this charge is significant as indicating that Alaska was becoming infected with the current "anti-trust" propaganda. Detailed analysis of the work of corporations in Alaska since 1900 is reserved for another place,⁵³³ but it should be noted at this point that conditions in Alaska were such as to make the feeling against certain corporations peculiarly strong. This had first become important at some of the rallies during the delegate campaign, when the depletion of the fisheries and the reputed corporation backing of the Democratic and Republican candidates were emphasized. After the election, it was rumored that several mining companies, Treadwell in particular, had intimidated and discharged employees for political purposes. Then in November, when a not unexpected executive order withdrawing coal lands from entry was announced, it was variously interpreted as being consonant with the wishes of the Pennsylvania coal trust or

⁵³¹ The replies to this questionnaire were listed in the *Dispatch*, Jan. 7, 1907. *The Record-Miner*, Nov. 3, 1906, warned Alaskans against infection. "It is a song of joy, this self-government. It stirs a man's soul to think of being instrumental in bringing about home rule." *The Yukon Valley News*, quoted by *Dispatch*, Jan. 29, 1907, took an excursion into sociology: "Place a single individual in the wilderness, out of the reach of his fellows, and he at once becomes self-governing . . . put two there and they will confer and usually adopt the most beneficial course of action."

⁵³² *Seward Gateway*, quoted by *Record-Miner*, Jan. 6, 1907.

⁵³³ *V. infra*, pp. 307-308.

as a distinct attempt to curb the activities of that group.⁵³⁴ The withdrawal of the coal lands had later such an effect upon the railroad situation as to vitalize the home rule movement. Meanwhile it was a contributing factor in building up the concept of corporate control of Alaska.

The process went on apace after Congress convened, for the railroad lobby to which attention has been drawn (especially that part connected with the ventures of the Morgans and Guggenheims) was held responsible for preventing others from constructing railroads which they themselves were not ready to build. In this matter Jarvis suffered a decided fall from grace.⁵³⁵ Governor Hoggatt came under the general cloud and it was rumored that he desisted from lobbying for private measures only at the threat of denunciation on the floor of the House.⁵³⁶ The influence of the steamship combine in maintaining exorbitant rates was a subject before the December meeting of the Alaska grand jury of the first division. To cap the climax, a wire came from Washington to the effect that Waskey had been approached by the copper trust to secure legislation that would remit taxes upon its property.⁵³⁷ Small wonder then, that by these means many of the Alaskans who had been thinking of the large capitalists as the territory's greatest asset, now began to ques-

⁵³⁴ The real object of the order was to force Congress to pass a leasing bill; *Hearing*, H. Com. on Public Lands, Jan. 16, 1906; *Hearing*, S. Com. on Public Lands, Feb. 3, 4, 5, 1913.

⁵³⁵ Regarding Jarvis, Senator Nelson was credited with telling the H. Judiciary Committee, "I have the utmost contempt for Captain Jarvis. . . I used to believe that he represented Alaska in the broad sense, but have been forced to change my mind regarding him." *Dispatch*, Feb. 5 and *Record-Miner*, Feb. 9, 1907: the former generally an opponent, and the latter usually a supporter, of the Guggenheim interests.

⁵³⁶ *Dispatch* of Feb. 5 and *Prospector* of Feb. 7, 1907.

⁵³⁷ *Dispatch* and *Record-Miner* of Feb. 5, 1907.

tion if they might not prove a liability – if they might not be responsible for Alaska's legislative woes. By such stages, natural and artificial, the home rule movement merged with the anti-corporation movement. The advocates of territorial government began, as early as 1907, to interpret the demand for autonomy as a fight to free the territory from the clutches of favored combinations eager to set their seal upon it. The defeat of territorial government in the Fifty-ninth Congress was readily placed at the door of these big interests;⁵³⁸ they were said to have laid their plans in such a manner as to insure a like outcome in the Sixtieth Congress. Developments in the summer of 1907 encouraged that belief.

⁵³⁸ One of the first lengthy editorials supporting this contention appeared in the *Dispatch* of Feb. 5, but thereafter their number rapidly increased all over the territory, especially in periods of political stress.

Railroading Alaska Politics

Three Men

By 1907 the stage was set for the next act in the drama of home rule for Alaska. The stars in this act were to be three: Governor Hoggatt, Delegate Cale, and Judge Wickersham. The background of the setting was to be the Panhandle, the Seward Peninsula, and the Tanana country, with occasional shifts of scene to Washington. The properties to be manipulated by the actors were – the general Alaska public (without a taste for politics) personal factions at Fairbanks, Nome, and Juneau, the reputation of the territory for mineral wealth, the industries dependent thereon, and the transportation situation. These properties were so manipulated by the three actors as to work out the drama of politics in a special direction.

GOVERNOR HOGGATT. The first of the three to place himself in the spotlight was the governor, who had gained assurance and lost caution from the unstinted support Roosevelt had given him.⁵³⁹ When Hoggatt left Washington for Alaska, in March, 1907, he and everybody concerned knew that he had killed territorial government in the Fifty-ninth Congress. But the aristocratic executive went further than most Alaskans in the added conviction that the issue was "dead"

⁵³⁹ *V. supra*, p. 280, n. 522. The published letters and newspaper interviews of Governor Hoggatt indicate that Roosevelt's approbation blinded him to the facts of public opinion.

or put to sleep "for a great number of years."⁵⁴⁰ The governor readily dismissed the cry for territorial government as a "political wail," to which Congress need pay no heed until it could be shown that there was a radical change in Alaska conditions. As he had small knowledge of the frontier and little real sympathy with the pioneer he could not realize that those same conditions were of just the kind to force the issue upon him, if not upon Congress, through the simple medium of newspaper propaganda.

This was done in the following manner. In the *Record-Miner* of March 31, 1907, ex-Delegate Waskey compensated himself for his Washington rebuffs: he told Alaskans, "My lack of success you know and I can attribute my failure more to the governor of our territory than to anyone else." The governor then retorted that the stories of his disagreement with Waskey were greatly exaggerated as they had worked in harmony on everything except territorial government.⁵⁴¹ But against Waskey's blanket charge he was helpless, because his admission that he had killed the project for a legislature laid him open to the charge of equal responsibility for other failures, especially that of a bill for a fourth judicial division—a thing on which the governor had put much of his best effort while in Washington.⁵⁴² As there was no common ground of

⁵⁴⁰ The interviews given in Seattle expressing these beliefs were widely quoted in the Alaska press, during March and April of 1907, for example, *Dispatch*, April 8, *Record-Miner*, April 16, *Sitka Alaskan*, April 12, 1907.

⁵⁴¹ *Record-Miner*, April 16, 1907.

⁵⁴² In a letter to a Valdez citizen, Hoggatt explained that "there has been a great deal of nonsense floating around Alaska during the past winter, purporting to tell what I did and did not do in Washington, very little of which is correct. . . . With the exception of securing within a week an assurance from the President and Congress that there would be no efforts considered toward giving Alaska a territorial form of government, I confined my efforts entirely to securing the passage of a judicial bill . . .

understanding between the governor and his people, the campaign against him was soon on, with nearly all Alaska papers and the *Seattle Post-Intelligencer* waging paper battle against a consistent and an obstinate official, assisted by the tendency of the latter to use involved statements subject to misconstruction.

Because the pugilism of the press contributed to making an issue of territorial government, the method of its attack became important. The governor was invited to officiate at the breaking of ground for the Alaska-Yukon-Pacific Exposition; many territorial editors wired Seattle in protest, on the ground that "the most thoroughly detested official the district ever had" should not be honored with so representative a function.⁵⁴³ The governor undertook his second annual tour through the interior; his progress was marked throughout by derogatory comments regarding statements imputed to him relative to territorial government and the character of Alaska's citizenry. A Dawson speech was misquoted by the *Fairbanks Times*: whereupon the *Fairbanks News* requested an interview, which was granted on the promise of reducing the same to writing and submitting proof. "When his interview appeared in print one portion of it had been omitted, thereby placing the governor in the wrong light. Extracts of this interview were forwarded by

and a modification of the game laws. . . . I enclose a press report of the President's commendation of my doings in Washington, which I think has had scant publication owing to a majority of the papers of Alaska being in favor of territorial government. I am satisfied my course so far will meet with the approval of the substantial law-abiding citizens of the country, those who have been my friends and I know will always be, and with these I am content to bide my time," *Prospector*, May 30, *v.* also *Dispatch*, and *Record-Miner*, April 25, 1907.

⁵⁴³ *Skagway Alaskan*, quoted by *Record-Miner*, June 1, 1907; *v.* also *Dispatch*, May 29 and 31, and *Fairbanks News*, quoted by *Dispatch*, Aug. 3, 1907.

wire to Nome and the same tactics continued all through the trip. At Seattle the *Post-Intelligencer* put on the finishing touches."⁵⁴⁴ During this period, the Nome and Fairbanks papers, whose habit it was to "call each other all the names in the deck," stood "as brothers on territorial government and a daily roast for Governor Hoggatt."⁵⁴⁵ Public confusion was further increased by the presence in Alaska of Representative Sulzer, on a visit of inspection to his copper mines, and on a hunting trip; he declared that Hoggatt's policy was in violation of pre-appointment pledges.

In this manner the breach between the governor and his people was widened beyond bridging. Apparently Alaskans made no general attempt to understand the governor; and as he was by nature incapable of getting close enough to Alaskans to understand them, he fell into a misinterpretation worse than theirs. Both executive and people became defiant. Hoggatt concluded that Alaskans were incapable of knowing what was good for them, and that the newspaper campaign was designed simply to destroy his influence with the national administration; he denied that his journey of inspection showed any popular agitation for a home government and swore anew that no clamor could shake him from his opposition to it.⁵⁴⁶ On the other

⁵⁴⁴ *Dispatch*, Sept. 16, 1907.

⁵⁴⁵ *Dispatch*, Aug. 24, 1907. According to the *Alaska Record*, Oct. 25, 1907, press support of the governor was at this time limited to the *Sitka Alaskan*, which was conservative by tradition, and the *Alaska Record*, *Valdez Prospector*, *Katalla Drill*, and *Cordova Alaskan*, which were located at points under development by large corporations.

⁵⁴⁶ Hoggatt set the cost of territorial government at twenty-five dollars per capita, with consequent ruin to Alaskan industry. He said he honestly hoped the day for home rule would soon come and when it did he would be working just as hard as anyone for the change; but in the meantime he felt bound by his "solemn oath" to govern the territory to the best of his beliefs and no amount of clamor could force him into advocating a ruinous

hand, the territorialists found it impossible to believe that the governor's trip should not have demonstrated to him that the people were not with him in his stand, and they insisted that his looks and remarks belied him when he asserted the contrary.

DELEGATE CALE. There was another reason why Alaskans were losing faith in their executive. About the same time that the governor was touring the interior, the delegate elect, Thomas Cale, was doing the same thing. The latter was well received by the populace, and assured them that in future the President would pay more attention to the recommendations of Alaska's elected delegate and less to those of the federal appointees.⁵⁴⁷ He also expressed confidence that Roosevelt's next message would advocate that form of territorial government which he and his constituents desired and which the governor decried.⁵⁴⁸

Political wiseacres claimed that Hoggatt and Cale were going before the country to determine which faction should control the Republican territorial convention to be held at Juneau the following November.⁵⁴⁹ The stakes were thought large: rumor said that Roosevelt had promised the White House ear to the man whom the Republicans of Alaska should endorse; they

policy. His attitude is best expressed in *Record-Miner*, Aug. 10 and Sept. 3 and *Alaska Record*, Sept. 17, 1907.

⁵⁴⁷ *Prospector*, July 11, 1907.

⁵⁴⁸ Cale made this prophecy in an interview at Seattle, July 16, 1907.

⁵⁴⁹ Republican henchmen with difficulty forgave Cale for defeating their candidate. They were pessimistic as to his chances for choice as delegate to the national convention, and for support from the congressmen of their party at Washington. As the *Dispatch* of Aug. 17, 1906, put it: "the gentlemen who hand out laws to us are not in politics for their health; they will be inclined to look upon the non-partisan delegate with something akin to suspicion." At the same time the Republican leaders could not come out in open support of Hoggatt as long as there was so much popular demand that the convention go on record against him.

would also select delegates to the national convention for the following year, upon whom in turn depended the choice for national committeeman from Alaska, a place growing in importance with the trend toward recognition of Alaskans in the matter of patronage; further, the faction which controlled the 1907 meeting might gain sufficient strength thereby to nominate its choice for delegate to the Sixty-first Congress. Apparently, then, Cale partisans would be zealous in their willingness to do battle for him.

JUDGE WICKERSHAM. This question of who should be Alaska's third delegate was already arousing considerable interest, because it suggested the candidacy of James Wickersham, the third man in the group then determining Alaska's political complications. In 1900 he had been sent north from Washington as judge for the third division, then newly formed, with a special detail to clear up the Nome litigation.⁵⁵⁰ His division was widely extended, including Valdez on the coast, and Eagle on the Yukon. This division soon became noted for its mineral resources and the steadily increasing population attracted by them, a population composed of independent prospectors interested in placer gold, and representatives of wealthy development concerns interested in copper and coal. His duties, like those of all Alaska's judges, were administrative and executive as well as judicial.⁵⁵¹ His term of office, unlike those of most of Alaska's judges, survived attack for seven years; a fact to be accounted for by the aggressive and dynamic personality of the incumbent, his

⁵⁵⁰ *V. supra*, pp. 191-192.

⁵⁵¹ Although the salary of the judge of the third division was but \$5,000, he had within his gift twenty-one positions worth from \$300-\$3,500, five of them worth \$3,000. For an explanation of the confusion of functions in the Alaska judiciary, as prescribed by the Act of June 6, 1900, *v. supra*, pp. 235 ff., and *infra*, pp. 304-305, 374 and n. 717.



JAMES WICKERSHAM

understanding of pioneer conditions,⁵⁵² and his success in retaining the confidence of President Roosevelt. But those seven years were enlivened by the continual recurrence of scenes of violent strife, made inevitable by the nature of the position, the temperament of the incumbent, and the environment of the third division.

It is no part of the purpose of this book to recount the personal exploits of any individual except in so far as they affected the home rule movement. There are prominent people who believe that Wickersham cannot be understood or explained by what he did or failed to do for home rule. However, for the purposes of this discussion, mention can be made only of those facts in his career which have significance in Alaska politics. During the first two years of his judgeship he strongly intrenched himself in the affections of the northern pioneers by his brisk disposal of litigation in the vexed Nome and Fairbanks districts. In 1903 he moved himself, his courts, and his interests to the new Tanana settlement of Fairbanks, which place soon divided into opposing factions for and against his policies.⁵⁵³ In 1904 and 1905 one of the large mining cases decided in his court went against a party in whom Senator Nelson was interested, and he further antagonized

⁵⁵² A significant example was the refusal of Wickersham to follow the practice of his fellow judges in attempting to enforce edicts as to liquor, gambling, and prostitution, through the federal courts. He always insisted that each community had the right to regulate such matters for itself, through municipal law courts.

⁵⁵³ According to the *Fairbanks Times* of Feb. 18, 1908, the fight made against him in the third division caused more dissension among the people of it than all other causes combined. From the point of view of politics, Wickersham's affiliations at Fairbanks were unfortunate because they included E. T. Barnette, a man who was afterwards proved to be criminally inclined. Almost without exception the bitter enemies of this period were persons who had lost cases in his court. Soubriquets commonly applied to him were "James the Terrible," "Flickering Wick," "The Judge Militant," and after he became delegate, "Our Jim."

onized that senator by killing a bill for a fourth judicial division; consequently Nelson prevented Wickersham's reconfirmation by the Senate at each session thereafter.⁵⁵⁴ Three special agents were sent up from time to time to investigate him. Roosevelt gave him five recess appointments, during the interims, insisting throughout that "as long as I am President of the United States, Wickersham shall be judge in Alaska." Finally, in July of 1907, before the Washington State Bar Association, Wickersham made an explosive disquisition⁵⁵⁵ upon the state of Alaska's administrative affairs, requesting "the assistance of the lawyers of the state of Washington to remedy a system of government insufficient and unsatisfactory to the people of Alaska." His resignation came the following November.⁵⁵⁶

This step was a turning point in the career of the

⁵⁵⁴ Nelson et al v. Meehan et al. *Alaska Reports*, ii, 484-495. The loser in this case joined with Mr. Frank Manley, loser in another instance, to turn Nelson against Wickersham. However, the senator has always insisted to the writer that his persistent opposition to the delegate was not due to personal interest in his court decisions. Rather he ascribes it to the failure of the 4th Division bill and the belief that Wickersham was naturally unfitted for judicial work.

⁵⁵⁵ This speech is reported in *Seattle Times*, July 14, *Dispatch*, July 15 and *Record-Miner*, July 16, 1907. It emphasized the heavy executive burdens of the judgeships, as compared with the gubernatorial figure-headship, and asked that the judges be set "free from politics." It was interpreted as a thrust at Congress and a defiant challenge to the politicians.

⁵⁵⁶ In a signed statement sent out from Fairbanks, Wickersham ascribed his resignation to the loss of Hoggatt's friendship, in turn due to decisions against Hoggatt's friends in his court; *Alaska Record*, Nov. 18. It was popularly believed that Hoggatt requested Roosevelt to ask for the resignation. In his letter of resignation Wickersham said he had "greatly desired confirmation," but now thought it "vain to expect it," *ibid.*, Dec. 23; and Roosevelt accepted the same "with regret," appreciating fully why Wickersham felt he must leave, and wishing him well for the future; *Tanana Tribune*, quoted by *Dispatch*, Dec. 11. Roosevelt found it most comfortable to appoint an outsider to the vacant position. Brief resumes of the Alaskan activities of the judge up to this point are given in *Tacoma Ledger*, Sept. 29 (also *Tacoma News*) *Dispatch*, Oct. 15, *Prospector*, Dec. 5, quoting *Nome Nuggett*, and *Alaska-Yukon Magazine*, Nov., 1907.

judge, with momentous consequences for the home rule movement, because it marked the decision of an able, energetic, and combative man to enter Alaska politics in earnest. It was already acknowledged that Wickersham was, and always would be, a delegate possibility, that he would be "dangerous to every politician who aspires to this high office."⁵⁵⁷ A forceful personality in a rich territory has exceptional opportunities for leadership, and he was soon using his.

Republicans by Proxy; Juneau, November, 1907

No sooner had Wickersham publicly characterized the government of Alaska as "insufficient and unsatisfactory" and the governor as "a mere figurehead," than a break between the governor and the judge, who previously had been friendly, became imminent. The former had assured Roosevelt that the Alaska system was "the best possible to meet the present conditions,"⁵⁵⁸ while the latter had of late emphatically declared to the people of Seattle and Washington that it was "a bad government . . . resented by American citizens."⁵⁵⁹ To the general amazement the judge had abandoned his conservative affiliations; they had failed to secure his confirmation or defeat his personal enemies. Now he was turning for justification to the more radical group, which was so elated thereby as to read into the Seattle speech a doctrine of territorial government which it did not contain. Their representative was Cale and to him Wickersham threw his support. Thus was the issue publicly joined, as between Hoggatt on the one side and Wickersham with Cale on the other.

⁵⁵⁷ *Dispatch*, Sept. 30, 1907.

⁵⁵⁸ 59C:2S., S. D. 14 (5069) v. also *Seattle Times*, July 14, 1907.

⁵⁵⁹ *V. supra*, n. 555.

The first opportunity for a "show-down" was the Republican primaries and convention of the fall of 1907.

In the shuffle, which appears to have interested the Republican politicians chiefly, the Wickersham-Cale forces were the more nearly victorious. What few primaries were held⁵⁶⁰ readily endorsed them, even where the meeting did not go on record in avowed opposition to Hoggatt. The convention, a proxy affair held at Juneau, November 14-16, split in childlike, tumultuous fashion, with the governor's minority bolting⁵⁶¹ while the remainder stayed to elect delegates and pass resolutions favorable to the Wickersham-Cale faction.⁵⁶²

⁵⁶⁰ The primary at which the most public interest was displayed was that at Fairbanks, where Wickersham was made the issue and the victor; *v. Dispatch*, Sept. 20 and Oct. 17, also *Alaska-Yukon Magazine*, Nov., 1907. At Skagway the strongest anti-Hoggatt resolutions were passed, deploring the efforts of the governor to discredit Alaska's elected delegates and to "lobby at the national capital against Alaska's interests." These resolutions led the *P. I.* to demonstrate its aggravating influence upon Alaska politics, for it lengthened the protest to read "to lobby at the national Capitol regardless of whether or not special interests have lent their influence to his appointment;" *cf. Skagway Alaskan*, quoted by *Dispatch* and *Alaska Record*, Sept. 30 and Oct. 1 and *Alaska Record*, Oct. 12, 1907. In the primaries outside of Nome, Fairbanks, Juneau, and Valdez, a total of less than one hundred men took part; and more than two-thirds of the precincts held no primaries, according to the *Alaska Record*, Nov. 18, 1907.

⁵⁶¹ The chief bolters were delegates from lode-mining centers of the Panhandle, like Treadwell, Douglas, and Juneau. They were led by a Juneau attorney for the Treadwell Co., L. P. Shackleford, who declared the November meeting illegal because assembled prior to the call of the national committee, and who proposed a body to meet in the spring. The bolters were a minority of about forty. They forced the northern delegates to pay the hall rent and refused to cash their checks at Juneau banks.

⁵⁶² Skagway and Ketchikan stayed to cooperate with the Nome and Fairbanks contingents, to the derision of the other Panhandle towns. There was considerable horse-play in the conduct of deliberations, as the presiding officer, W. T. Perkins of Nome, laid himself open to the charge of paying no more heed to rules of procedure "than a Kansas Populist to the Lord's prayer" according to the Hoggatt organ, the *Alaska Record*, Nov. 15. Political juggling was easy, because three men from the second division held among them thirty-six proxies, and three more from the third more than twenty; *Dispatch*, Nov. 15 and *Prospector*, Nov. 21, 1907.

Their resolutions were significant, not because any considerable number of Alaskans had any interest or part in the framing of them, but because they indicated the personal and sectional nuclei around which Alaskans grouped themselves when trying to play politics. Here was a convention, designated Republican, manipulated by three northern politicians in a spirit of revenge against a faction which formerly⁵⁶³ had bested them, applauding a Republican President while refusing to endorse a governor nominated and retained by him, and pledging support to a delegate, Cale, who claimed to have been elected upon a platform of territorial government, which they in turn sidestepped. Of course expediency forbade the convention to omit endorsement of Roosevelt or to insert denunciation of Hoggatt, lest it lose the party color; nor could territorial government be advocated as long as the machine leaders were not in favor of it. For these reasons, this unique body made announcement as follows: "We pledge our hearty support to Alaska's delegate in Congress, Honorable Thomas Cale, in all efforts he may exert to secure needed legislation for Alaska;" at the same time it limited these activities, as far as home rule was concerned, to securing "the benefits of the ordinance of 1787 . . . in order that the people of Alaska may have a voice in the management of their own affairs." There was less vagueness and contradiction, however, upon the other points taken up by the convention. It asked that the executive and administrative functions of the judges be transferred to the governor, in line with Wickersham's plea, and it advocated a fourth judicial division. There were also the customary requests for internal

⁵⁶³ R. S. Ryan and W. T. Perkins of Nome ran the meeting with Tozier of Fairbanks, arranging the slate at Nome and Seattle. The first had been Murane's chief opponent for the 1906 Republican nomination.

improvements, amendments to the mineral laws, and government aid to transportation.⁵⁶⁴

Judging the 1907 convention by its procedure and resolutions, one is forced to the conclusion that Juneau and her environs had not recovered from the political impotence which the election of 1906 demonstrated was theirs, that the Republican politicians did not consider the project for a local legislature of immediate importance, and that Alaska politics occupied the customary plane of personal jealousy.

Governor vs. Delegate in re Territorial Government

The governor and his friends were not slow to see the inconsistencies of the Juneau convention and were under no apprehension of defeat from its deliberations. Congress was about to convene and the real test of strength must come at Washington, whither Cale was on his way to confer with Roosevelt, as to the recommendations of the Seventh Annual Message. The much-anticipated interview took place November 20 and left the delegate with the impression that the President would advocate territorial government.⁵⁶⁵ Nor was he entirely disappointed, for on December 3, 1907, Roosevelt not only reiterated to Congress his recommendations of the previous year, but added to them one for "some form of local self-government . . . as simple and inexpensive as possible."⁵⁶⁶ In this as in other

⁵⁶⁴ The foregoing account of the convention is taken from the *Dispatch*, *Alaska Record*, *Seattle P. I.*, and *Times*, for Nov. 14-16 and immediately thereafter.

⁵⁶⁵ They also discussed mining laws, aids to navigation, and allied subjects. *Prospector*, and *Alaska Record*, Nov. 21, *Dispatch* and *Alaska Record*, Nov. 27, 1907.

⁵⁶⁶ As first reported in the *Dispatch*, Dec. 3, Roosevelt was quoted as saying "They are certainly entitled to elect a legislature and make their own laws," a mistake corrected three days later. In 1906 he had referred back

respects his message practically duplicated the resolutions of the Juneau convention.

Governor Hoggatt disclaimed any alarm over the political prophecies of the delegate, the message of the President, or any home rule bills likely to be introduced as the result of either, expressing the belief that he need waste no energy fighting bills which had no chance of becoming laws.⁵⁶⁷ Before the Sixtieth Congress had met, the probable attitude of its members toward territorial government had been explained by Walter Clark, Washington correspondent for the *Post-Intelligencer*.⁵⁶⁸ Neither Senate nor House was ready to grant home rule; the former on constitutional and traditional grounds, in fear of seeming to promise statehood to non-contiguous territory; the latter on economic grounds in fear of excessive taxation. How soon the attitude of either might be changed by arguments showing increased wealth, population, and economic importance, was a matter of general speculation and one to which the governor and the delegate were soon to address themselves. But at least territorial government must wait to overcome the uncompromising opposition of Speaker Cannon, Representative Tawney, Senator Spooner, and other visitors to the Panhandle who, upon their return, "betrayed a startling knowledge of things they hadn't seen."⁵⁶⁹ Furthermore, negotiation by the governor was to prove a powerful factor in spite of his economic affiliations.

to the "complete reorganization of the governmental system" asked for in 1904 with reference to the judiciary, making mention of the fact that the territory had since its purchase yielded \$11,000,000 in revenue to the government and \$300,000,000 in gold, furs, and fish to private citizens. Up to 1898 the federal government had received \$4,000,000 more in cash from Alaska, than its total expenditures upon the territory.

⁵⁶⁷ *Prospector*, Dec. 5, 1907.

⁵⁶⁸ Recounted in the *Alaska Record*, Nov. 2 and 14, 1907.

⁵⁶⁹ *Ibid.*, Nov. 14, 1907.

Nevertheless, Delegate Cale, who had made a propitious beginning by caucusing with the majority (the Republicans) promptly introduced two bills for territorial government; on December 5, 1907, *H. R. 4820*, written by Sulzer; on February 20, 1908, *R. R. 17649*, by Wickersham. Both of these specified a legislative assembly, which in the first case was to be composed of elected members in both upper and lower house, and in the second was to have appointed members in the upper group with property holding as the qualification for the legislative office in the lower.⁵⁷⁰ The first was in vague conformity to the platform of the miners who had elected Cale in 1906, and the second to the platform of the Republican convention which had endorsed him in 1907. On these bills the House Committee on Territories held hearings, a perusal of which shows why neither of them was ever reported out. The witnesses before the committee were Representative Sulzer, Delegate Cale, and Governor Hoggatt.⁵⁷¹

The testimony of Mr. Sulzer was true to form, being like that given by him on numerous bills of a like character which the committee had habitually killed. To counter the main objection, as to cost, he made a fiscal analysis showing that the national government had not expended as much money upon Alaska as the residents of that territory had paid the government in court fees, license taxes, and telegraph charges.⁵⁷² He also attacked the Wickersham measure by producing a letter

⁵⁷⁰ These bills are given in 60th Cong. H. of R. *Bills*, 9 and 28.

⁵⁷¹ *V. 60C:18*, H. Com. on Terr. *Hearings*, March 18 and April 1, 1908.

⁵⁷² Sulzer criticized the Treasury as failing to credit Alaska with her total contribution to the national Treasury. He cited the military telegraph, as having paid the government a profit of thirty-four percent over the cost of construction.

from the ex-editor of the *Skagway Alaskan*⁵⁷³ objecting to the bill as a scheme to keep Alaska in the control of federal officials and of property owners in populous centers.

Delegate Cale, on the contrary, was inclined to defend the conservative plan, explaining that its restrictive features were inserted to quiet "some persons" who feared that non-taxpayers would not have the interests of the territory at heart. But he placed his chief emphasis upon the desire of Alaskans for territorial government, for which he cited in proof his own election, numerous memorials and resolutions, the Juneau Republican convention of 1907 and the Seventh Annual Message. He failed to differentiate between the concepts back of the actions of these various groups and he denied Hoggatt's contention that the chief plank in his platform had been reform of the mining laws. In brief his argument claimed that the people wanted territorial government and were capable of conducting it, that the resources of the territory warranted it, and that it would tend automatically to meet the legislative needs then pressing hardest for solution.

Governor Hoggatt did not attempt to deny the existence of a desire for territorial government, because he had, during his interior trip of the previous summer, "travelled part of the way with Mr. Sulzer and learned how easy it is to get up a lot of steam on the question of sentiment." But he did deny that the territorial government plank was anything but a side issue in Cale's election platform, placed there to "add strength to the ticket in certain parts of the district" and he sub-

⁵⁷³ John W. Troy, letter dated Mar. 10, 1908, Alaska Club, Seattle. Troy had become Secretary of the Alaska Democratic Club of Seattle, of which Waskey was President.

mitted a letter in proof.⁵⁷⁴ In reply to Cale's contention that opponents to territorial government were "Alaskans for revenue only," the governor countered that Cale had "gone off half-cocked on this territorial proposition." The two tilted over the question as to which of them really represented the people, with Hoggatt insisting that he expressed not only his "own personal views" but also those of "the best element."

It was in support of this last contention that Hoggatt exploded a political bomb in the committee room by reading aloud a letter which Judge Wickersham had sent him before he decided to sever his connections with the conservative group. As this letter was a strong statement for the conservatives, it supported the governor's contentions very well, at the same time discrediting its author and Cale. The letter figured frequently thereafter in debates on the question at issue.⁵⁷⁵

⁵⁷⁴ From L. B. Anderson of Dome City, ex-editor of the *Times* of that place and self-styled elector of Cale: he claimed to have experienced a change of heart as to the power of territorial government to cure mining ills, and to have found a like attitude in his section of the country.

⁵⁷⁵ It was printed only in part in the *Hearing* of April 1, 1908; it was printed entire in the *Alaska Record* of May 27, 1908, in the *Dispatch*, April 8, 1910, and also other campaign papers. Half the letter referred to the fight being made against Wickersham's reappointment. That having to do with territorial government ran as follows: "Fairbanks, Alaska, Jan. 9, 1907. Hon. Wilford B. Hoggatt, Governor of Alaska, Washington, D. C. . . I regret very much that Waskey and Cale have started off on the mistaken idea of putting territorial government ahead of all other things for Alaska. It certainly is a great mistake and one which will cost the territory dear. You are right in opposing it and you ought not to hesitate. The population is too sparse and the taxable wealth is too small to sustain local self-government. The population is unsettled, and probably out of the six thousand or eight thousand men in this mining camp not a hundred of them will admit that they intend to remain in the territory the rest of their lives; nor would one-tenth of them remain if the placer mines were worked out as they are in Dawson, and will be here inside of a few years. The real difficulty in considering this matter is that so many do not note the difference between the theory of local self-government and the brutal fact. . . When an argument is started a majority argue strongly in favor of the theory, and

Hoggatt must be credited with making one good point of his own during the hearings. This was, that if Congress must needs pass a home rule bill, a very simple one, providing a single assembly with strictly defined powers, would be more likely to give the people satisfaction than a measure with a makeshift council. Nor would even that suffice, for "they will not be satisfied until they have control of everything in the territory—all the powers now granted Arizona or New Mexico."

From the mass of contradictory evidence submitted to the bewildered representatives at the hearings on the territorial government bills, three political facts stood out clearly. Neither the Republican nor the Democratic organization in Alaska was willing to jeopardize its cause by a failure to endorse the theory of territorial government; therefore the issue between the candidates was left to concern itself with the time

the theory is undoubtedly correct, but when they are pinned down to the fact as to whether or not the time has arrived for the establishment of a local self-government, most of them hesitate. It is my judgment that a large majority of the people of this district are opposed to local self-government, although there is no difficulty in scaring up resolutions in Fourth of July language in favor of it. You should pay no attention to such resolutions except to try to explain to congress and the president that they come from a small number of people with nothing else to do and are simply goodnaturedly mistaken about what to do. They are generally good citizens but their theories are a long ways ahead of the needs of the country. This letter is confidential and is not intended for anyone but you, since I always refrain from expressing my opinion on matters of public interest on account of my position. I only wish to encourage you to stand by the true needs of the territory, notwithstanding the denunciations of some 'po' white trash' like Mr. Anderson. . . . Incidentally, I have recently been talking with the editors of the two other local papers. While they get off wrong on the question of local self-government, I have tried to persuade them that we need some other legislation for Alaska, and that to fight congress and the president over a theory is altogether wrong a waste of real necessities. I hope to see them in a right frame of mind with a recognition of your courageous stand, but it will take time to bring it about. . . . Very truly yours,
James Wickersham."

for applying the theory. The opposition to immediate home rule had, so they claimed, perfected no organization, since they felt their position so secure as to make such precautions unnecessary. The House Committee on Territories was at this time unwilling to advocate territorial organization prior to the establishment of better means of transportation in Alaska.

Why Alaska Interested Congress

To their minds, territorial organization was after all a question of minor importance, because the activities of the third house had centered interest upon Alaskan economics, rather than politics; the latter made appeal only as affecting the former. Therefore the committee pushed into law only those measures bearing upon industrial conditions, and to pass even these it was necessary to employ that ancient weapon against filibuster—the omnibus bill. Of these measures only those affecting political conditions are here listed.⁵⁷⁶

With the object of clearing litigation, Congress provided for a fourth judicial division, with headquarters at Valdez, thus meeting the needs of those far removed from Nome in the second division and Fairbanks in the third.⁵⁷⁷ Congress for the same reason gave Alaska's trial courts the power to determine whether appeals

⁵⁷⁶ Three omnibus bills were: *H. R. 21896* (*Stat. L.*, 838) *S. Rept. 900* (5380) for judges in Alaska, Hawaii, N. Mex., Okla., and Ala.; *H. R. 21957* (35 *Stat. L.*, 600) *H. Rept. 1687* (5226) and *S. Rept. 690* (5219) which included fifteen separate bills favorably reported to the House, and satisfied local needs in Alaska, Arizona, Hawaii, and N. Mexico. Its Alaska features included a bond issue for Valdez, care of insane through the Secretary of Interior by special appropriation, limitations on the sale of liquor and medical licensing. The third bill, *S. 4809* (35 *Stat. L.*, 166) *H. Rept. 1621* (5226) included twenty-three bridge projects favorably reported by the H. Com. on Interstate and Foreign Commerce.

⁵⁷⁷ 35 *Stat. L.*, 839, *v.* also 60C:1 and 2S., *H. R. 18988*, *H. Rept. 1633* (5226) and *H. R. 21896*, *S. Rept. 900* (5380).

should be taken to Seattle or San Francisco.⁵⁷⁸ To the first of these there was almost no opposition beyond that which prevented taking from the judges the appointment of commissioners and the granting of liquor licenses; but to the second the representatives from California objected strenuously, alleging that they were endorsed by Governor Hoggatt in their attempts to monopolize legal profits for San Francisco.

With the object of obeying Roosevelt's injunctions as to the conservation of Alaska's resources and the encouragement of her railroads, Congress legalized the consolidation of coal claims, if located prior to Nov. 12, 1906, to the extent of two thousand five hundred and sixty acres,⁵⁷⁹ it also granted extensions of time and permission to build bridges to numerous railroad companies.⁵⁸⁰ These concessions, however, were not sufficient to offset the disadvantages then suffered by Alaska's railroads. The law imposing a tax of one hundred dollars per mile in operation amounted, with money at five percent, to an additional construction cost of two thousand dollars per mile. Probably in the history of the world pioneer railroads nowhere else have been subjected to such a tax.

Meanwhile the Alaska deliberations of committees in both Senate and House became marked by curiosity and caution. The House Committee on Territories devoted its best efforts to transportation, held lengthy

⁵⁷⁸ 35 *Stat. L.* 585, *v.* also 60C:1 and 2S., *H. R.* 13649, *H. Rept.* 793 (5225) and *S. Rept.* 672 (5219). Previously, the higher court had been the one to determine where appeals should be heard, and had preferred San Francisco.

⁵⁷⁹ 35 *Stat. L.*, 424, *v.* also 60C:1S., *S.* 6805, *S. Rept.* 655 (5219) *H. Rept.* 1728 (5226) and *H. R.* 21412, *H. Rept.* 1578 (5226).

⁵⁸⁰ *V. Cong. Rec. Index*, with special reference to *S.* 6418, *S.* 4809, *H. Docs.* 1201 and 1263 (5557) and *H. R.* 25553, *H. Rept.* 2247 (5384); *v.* also *Hearings, H. Com. on Terr.*, Mar. 2, April 3, 4, 6, 8, 13, 14, 1908, Jan. 12, 21 and 26, 1909.

hearings, and evolved a policy, announced as one of encouragement of actual construction, protection of conflicting rights and prevention of monopoly.⁵⁸¹ The Senate and House Committees on Public Lands puzzled themselves over mineral laws. As it was then impossible to pass legislation which would have the effect of subsidizing development companies by encouraging private ownership or use of mineral lands, the congressional policy became one of general negation. Senators and congressmen were waiting until such time as they might be ready to change the general coal laws – or until private capital might be willing to furnish Alaska with transportation without the privilege for themselves of exploiting its resources – or until someone else might be willing to assume the obloquy of passing constructive legislation.

Anti-Guggenheimism

But the course of events was unwilling to await congressional inspiration. Out of the railroad situation was growing a new Alaska schism. A syndicate headed by the Morgan-Guggenheim interests had been searching for a feasible railroad route by which to connect their Bonanza-Kennecott copper mines with the coast, two hundred miles away. After experimenting at Valdez and Katalla, they finally settled upon Cordova as a terminus. The people of Valdez, in despair over the failure of all railroad projects starting from their townsite, became easy victims of a clever promoter named H. B. Reynolds. This gifted and elusive gentleman floated stock among ignorant people in the states for a concern to be called the "Alaska Home Railway," purporting to connect Valdez with the in-

⁵⁸¹ H. Rept. 2247 (5384).

terior and at the same time to confound the wicked corporations seeking to "gobble" Alaska. This railroad had nothing behind it except local excitement, Reynolds's personality, and ex-Governor Brady's hopes, and was certain of early extinction. But its life was not too short to affect Alaska politics.

Shortly after the "Alaska Home Railway" was started, its workmen ventured into Keystone Canyon, a defile leading toward the Copper River, and a part of the abandoned Guggenheim right of way from Valdez. There they met an armed band of men, led by a Mr. Hasey who had been deputized marshal to protect the property of the Morgan-Guggenheim corporation. Hasey wounded one of the trespassers with a rifle shot and the man died. The shooting at the canyon, aside from its moral delinquency, was a colossal blunder. It not only played into Reynolds's hands for a time by enabling him to sell more worthless stock to the people of the United States, but it greatly intensified the Alaskan hatred of the Guggenheims. It appeared to bring final proof that, by fair means or foul, they intended to control the Copper River railroad routes. Alaskans, their officials, their politicians, henceforth were to be divided as Guggenheim or anti-Guggenheim.

During the disturbance attendant upon the shooting, and the subsequent failure of the smaller company, Governor Hoggatt prevented its workmen from attempting retaliation upon its stronger rival. This readily brought upon his head the charge of "Guggenheim's rubber stamp."⁵⁸² It is quite outside the pur-

⁵⁸² The *Alaska Record*, Oct. 17, said, "Reynolds and Governor Brady put their trust in God, but they didn't keep their powder dry. The Guggenheims evidently watered the stock of the Alaska Home Railway Co. and the blamed old thing wouldn't go off." Special reference to the fight for the canyon at the time of its occurrence, was made in the *Dispatch*, *Alaska Record*, *Prospector*, and other prominent papers throughout September and Octo-

pose of the writer to determine whether Governor Hoggatt was improperly influenced by the trust with which his name has always since been coupled. The important fact is that his policies were uniformly favorable to the welfare of certain vested interests and he was therefore made a part of them for political purposes. Among Alaskans there had always been an insistence that they appreciated the large investor of capital and were dependent upon him for the development of their territory; but there had never been general tolerance of the notion that the capitalist had the right to control politics and the courts. In the words of the *Valdez Prospector*, July 9, 1907, Alaskans desired "no handicap to corporate activity" except when it became "political dictation by a handful of corporate agents."

The fear that the Morgan-Guggenheim combination would control politics, including the governor, the delegate, and patronage, grew out of the fact that it was supposed already to be in control of so many other things, particularly the steamship transportation and the salmon industry, and had made an auspicious start in a like direction as to copper mining and railroading. Its lobby, under the able management of Jarvis, had prevented the passage of any bill subsidizing a railroad rival which might prove dangerous,⁵⁸³ had diverted

ber of 1907. Circumstances have since been such as to make the subject one of perpetual interest to Alaskans. The *Alaska Monthly Magazine*, Sept., 1906, made an interesting prophecy that the canyon would be the scene of strife, in an article entitled: "Will Fight Rivals with Dynamite."

⁵⁸³ For a striking illustration *v. supra*, pp. 266-267. In connection with the Keystone Canyon shooting it is significant that the victorious company had attempted, in 1898, to organize a militia company for the protection of their property. They applied to Governor Brady, who on referring the matter to Secretary Bliss, was informed: "you will not be justified in permitting the enrollment in the Territorial Militia of any company or body of men possessed of such independent powers as that desired by the company proposed to be organized by the corporation which Mr. Haskell represents;"

some of the funds which formerly contributed to Alaska's schools and roads into channels for the improvement of the salmon industry;⁵⁸⁴ had postponed as long as possible the passing of the delegate bill, and were in 1907 well known to be in opposition to any further advance along the lines of home rule. These facts, taken in conjunction with the trust psychology of the Roosevelt period and the unatoned death of the employee of the Alaska Home Railway,⁵⁸⁵ were more than sufficient to determine the state of Alaska's politics and her home rule movement for many years to come.

The First Anti-Guggenheim Campaign, 1908

Politically speaking, the year 1908 was the biggest Alaska had yet seen. To this, numerous factors contributed, chief among which was the constant use of the cable for newspaper purposes.⁵⁸⁶ Alaskans at Fairbanks, Nome, and Valdez, as well as in the chief Panhandle towns, read each day of the doings of their delegate to Congress, their governor in Washington, and the party henchmen at the same place. Judging by the newspaper comment, the fate of the bills introduced by Delegate Cale was second in interest. Those on territorial government caused an unfounded rumor

Sitka Alaskan, July 23, 1898. A pamphlet of the Alaska Home Railway had described that concern as an attempt on the part of Alaskans to rid themselves of "the humiliating circumstances of helpless impotence in the matter of transportation;" *Dispatch*, Sept. 11, 1907.

⁵⁸⁴ The salmon rebate was by implication a scandalous thing to the Alaska mind, *v. supra*, p. 269.

⁵⁸⁵ The trial of Hasey was marked by excessive irregularities and resulted in a short sentence to the penitentiary for him and dismissal from office of several persons pushing the prosecution. It was proclaimed as an example of corporate control of the courts; *v. infra.*, pp. 348 ff.

⁵⁸⁶ The cable dispatches were sent up in skeleton form and built into lengthy articles from the knowledge of the editor of the general trend of events. Remarkable accuracy was obtained considering the method used.

that Cale was at outs with Sulzer; intelligent comment on either measure was scarce, but the general opinion favored the more conservative, as a temporary expedient more likely to pass. When even it failed, surprise and disappointment were not general, as the advocates of home rule had "never expected that it would be accomplished until after a long campaign of education."⁵⁸⁷ At the same time, however, the slow progress of Alaska measures was pointed to as evidence that intelligent local legislation could never come from Congress.⁵⁸⁸ On the whole, Cale was credited with doing as well as anyone could in his place, as a delegate could be "only a lobbyist" anyway.⁵⁸⁹

It was patronage, rather than legislation, which the newspapers liked to discuss. "Alaska for Alaskans," as regards federal positions, keenly interested the territorial editors, and they were especially on the alert for signs of friction between the delegate and the governor in the matter of nominations. That they exaggerated this friction far beyond its true proportions was demonstrated when Cale's friends received post-office appointments and he compromised with the governor on some of the more important positions. Local editorials frequently concerned themselves with the removal from office of N. V. Harlan of Fairbanks, the district attorney for the third division on a charge of

⁵⁸⁷ *Prospector*, Jan. 30. Local comment on the home rule bills was made in *Prospector*, Feb. 13, 20, Mar. 12, 19; *Dispatch*, Feb. 19, 20, Mar. 19, April 21; *Alaska Record*, Mar. 21, 1908.

⁵⁸⁸ The delay in the passage of the fourth division bill was ascribed to its usefulness as a patronage promise for securing votes at the coming national convention.

⁵⁸⁹ Interesting rumors regarding the patronage struggle were retailed in *Alaska Record*, Jan. 31, Feb. 11; *Prospector*, Jan. 23, 30, Feb. 6, 13, 20, Mar. 5, 12, 19; *Dispatch*, Jan. 22, 25, 27, 28, 30, 31, Feb. 24, Mar. 4, 5, 6, 11, and 13, 1908.

complicity in gambling. As Harlan had shown sympathy for the cause of the Alaska Home Railway and had tried to push the trial of Hasey, the newspapers which opposed Hoggatt and the Guggenheims declared that Harlan was "railroaded" to please a corporation and an official aligned with it. Whatever the truth of the charge it inoculated the political soil with anti-Guggenheim bacteria and thus prepared the way for the victory of a candidate for delegate who stood on a platform against them.

The Hoggatt group was also held responsible when the Republican National Committee declared the convention of November, 1907, illegal, as held prior to official call, in spite of precedents for such meetings in Alaska.⁵⁹⁰ Their decision made it possible to call another convention, thus affording the Hoggatt faction an opportunity to recoup the political losses of the previous November. As the growth of Alaska patronage had made the position of national committeeman more desirable than ever before, the convention took on the guise of a struggle for that position, and the chief groups had each their own candidates: L. P. Shackleford of Juneau for the governor's party and John G. Heid of Juneau for the element opposed to him. Each of these groups was divided within itself on Wickersham. Therefore, it appeared to onlookers that "there would have to be numerous deaths among the Alaska Republicans before harmony [could] prevail . . . [in the] general grab for a piece of

⁵⁹⁰ Although the editor of the *Prospector* admitted, April 2, 1908, that "The Republican party of Alaska united amounts to no more than a cipher in the nation, and ripped into factions, even the rim is knocked off the cipher," he in the same breath suggested that the Juneau convention was turned down because its delegates to the national convention were instructed for Taft and the national committee had an anti-Taft majority.

pie.”⁵⁹¹ But the politicians interested exhibited no reluctance in entering the contest. During April the politically ambitious residents of each locality held primaries or caucuses at which they elected contesting delegations to the territorial convention.⁵⁹²

Then in May (12-14) the Republican Territorial Convention met at Ketchikan, where a like lack of harmony prevailed.⁵⁹³ Two separate conventions were held in the same vicinity at the same time; two sets of candidates for national committeeman, for delegates to Congress, for delegates to the national convention, for territorial committeeman, were chosen. The only similarity between the two meetings was in their platforms, both of which endorsed territorial government.

In June a delegation from each faction went to Chicago. But the Hoggatt people hied themselves to Washington first, where they established themselves in the good graces of the President. Meanwhile the antis sought out Hitchcock at Chicago and entered into an agreement that they should be recognized in exchange for Taft support. When the Hoggattites appeared on the scene and found the cards stacked against them, they wired Roosevelt, who immediately directed Hitchcock to seat them. This was accordingly done, and Roose-

⁵⁹¹ *Dispatch*, May 8, 1908.

⁵⁹² Each delegation was designated Hoggatt or anti-Hoggatt, which last meant three kinds of opposition—to him personally, to the people supporting him, and to the corporation with which he was said to be affiliated. At Nome the Democrats attempted to capture the Republican primary and at Juneau nothing more than a caucus was attempted. Seattle was as usual the center for the distribution of proxies.

⁵⁹³ The so-called regulars, or Hoggatt men, had their greatest strength in the Panhandle, around Juneau, Treadwell, and Douglas; their nominee for national committeeman was so eager for that honor that he supported as candidate for delegate a man in favor of territorial government, and inserted such a plank in the platform. No mention was made of Alaska, in the National Republican platform. In 1908 Alaska had but two votes, as compared with her previous six.

velt and Taft did not learn of the prior agreement until after the convention was over.⁵⁹⁴ Thus by superior strategy Shackleford secured recognition as the head of the territorial machine in place of Heid, who had held that position since he deserted Brady eight years earlier.⁵⁹⁵ This did not materially help the regular candidate for delegate at the August election, however, for party feeling was so weak among Alaskans that they were ready to vote for irregular candidates.

The regular Republican candidate was "Seattle John" Corson, a nominal resident of Nome, who had to bear the obloquy of support by Hoggatt and Seattle.⁵⁹⁶ His candidacy was not very serious after five other contestants came into the field. Two of them may be dismissed briefly, a miner by the name of J. P. Clum who ran independently in the hope of securing support from the interior, and John Ronan, who was chosen by the Democrats at a convention held shortly after that of the Republicans. Ronan was a harmony candidate with a platform favorable to territorial government,⁵⁹⁷ but he was handicapped by his lack of political experience and by his record for opposition to the miners' union during recent strikes. A more important candidate was Joseph Chilberg, who was nominated by the northern miners and ran on a pro-labor platform. A fourth, and one of considerable importance during the early part of the campaign, was Cale,

⁵⁹⁴ *Prospector*, June 25, 1908.

⁵⁹⁵ *V. supra*, p. 186.

⁵⁹⁶ The *Dispatch*, May 6, quoted the *Katalla Herald* that no "Seattle-made" delegate could be elected to Congress, and the *Skagway Alaskan*, May 19, that "the delegate for whom the governor's contested proxies were cast will find all Alaska against him."

⁵⁹⁷ The National Democratic platform demanded for Alaska, as well as Porto Rico, "the full enjoyment of the rights and privileges of a territorial government" with officials from *bona fide* residents. *Official Proceedings*, 173. In 1908, Alaska had six votes, as formerly.

the choice of the Independent Republicans at the Ketchikan convention, and the recipient of much support in mining districts as well. He had official duties, non-partisan inclinations, and domestic complications, which kept him from returning to Alaska during this period; but he allowed his Valdez friends to start a campaign for him, and gave no sign of withdrawal when news came, June 25, of the entrance of still another candidate, Wickersham. The latter had understood that Cale had no desire to run and would turn over to him his organization. But Cale's lieutenants, especially at Valdez, refused to budge without instructions from their leader, and he was very busily engaged upon a financial venture. A period of uncertainty followed, the impression growing all the time that if both Cale and Wickersham ran, Corson, the Hoggatt-Guggenheim candidate might win. So, about July 7, it became understood that Wickersham, after all, might not run. Cale, however, came out the next week with his delayed statement of withdrawal; and the Judge thereupon became a full-fledged candidate with the pleasing support of the organization for which he had been waiting.

As had been foretold, the candidacy of Wickersham precipitated "the bitterest fight" Alaska politics had yet known, for he had always been recognized as a "delegate possibility, dangerous" to all other aspirants.⁵⁹⁸ Vilification flourished. Newspapers were temporarily bought and exploited. Telegrams, fake and genuine, kept the wires hot. Rumors, wild and previously undreamed of, gained brief credence. The campaign was waged on two issues — personality and the Guggenheims. On both counts the Judge had the

⁵⁹⁸ *Prospector*, March 12, 1908; *Dispatch*, Sept. 30, 1907.

strongest position, because of his own energy and that of his backers, who made excellent use of propaganda on behalf of a candidate who was already better known than any other person throughout the vast area of Alaska. Even his bitterest enemies conceded his ability, his Alaskan experience, his familiarity with the needs of the territory. Furthermore, Senator Nelson, whom Wickersham's opponents petitioned to interfere, abstained from doing so. His dislike for the Judge had not moderated greatly, but he realized that his power over the Judiciary Committee in Washington did not spread over local politics in Alaska. He was too wise to risk defeat needlessly. Some of the northerners said that he was acting upon the theory that the people of Alaska, rather than Minnesota, should elect their delegate.⁵⁹⁹ In the minds of these, his attitude was tantamount to an endorsement of the candidate. That gentleman was using the party designation of Independent Republican, but he was making appeal to all Alaskans regardless of party. This he did by means of fostering the anti-Guggenheim complex, and issuing a platform which had in it a plank for practically every Alaska voter except those affiliated with the execrated corporation.⁶⁰⁰ The inevitable resulted: Wickersham, the "born fire-brand in politics" was elected.⁶⁰¹

⁵⁹⁹ *Dispatch*, Aug. 11, 1908.

⁶⁰⁰ His platform was described in *Dispatch*, July 20, *Alaska Record*, July 22, and *Prospector*, July 23, 1908. It included the following: support of Roosevelt's recommendation for home rule, of an elected legislature with carefully limited powers, of eight hour day, of regulation and inspection of mines, of revision and amendment of Alaska Code, of protection of fisheries, of improvements in transportation, communication and education, of miners' lien law, of legitimate railroad construction, of a 4th judicial division; opposition to the Ordinance of 1787 as a standard of home rule, to the abuse of the association claim, to the unbridled use of power of attorney, to speculation in land, and to the Guggenheims.

⁶⁰¹ The official returns as filed in the office of the governor are: listed in

When it was "all over but the shouting" it was patent that Wickersham had won on an industrial, rather than a political, platform. His nearest competitor, Chilberg, had gained his strength from the mining vote as fostered by the recent strikes in the industry and the attempt to unionize it in Alaska. His Republican opponent, Corson, had been defeated because of his backing by financial interests which Alaskans had learned to distrust and to believe represented by the governor. The Democratic candidate had made an extremely poor showing, as identified with the employing class to the exclusion of the interests of the employed. Similarly, many people who were not personal admirers of Wickersham had voted for him as an expression of opposition to the corporate influence then believed to be exercised to Alaska's detriment. Inasmuch as all the candidates had professed allegiance to one form or another of home rule, territorial government was not the big issue in the campaign and the election of Wickersham could not be construed as a victory for the territorialists. The lack of interest in the subject, as compared with that in the Guggenheims, was illustrated when an attempt, emanating from Valdez, was made to take a referendum on home rule at the delegate election.⁶⁰² There was not sufficient interest to carry it through: for it was tacitly understood that the new

the order of the three divisions, Wickersham, 628, 1,149, 1,645, total 3,422; Corson, 333, 431, 1,189, total 1,953; Chilberg, 118, 870, 1,106, total 2,094; Ronan, 217, 272, 479, total, 968; Clum, 1, 125, 250, total 376. The total vote by divisions was 1st, 1,297, 2nd, 2,847, 3rd, 4,669. Grand total, 8,813. The totals given in the *Wickersham Papers* are: Wickersham, 3,802; Chilberg, 2,383; Corson, 2,139; Ronan, 1,007; Clum, 294; total, 9,625.

⁶⁰² The home rule referendum call declared, "this is the opportunity for Alaskans to express themselves on this important question, and say whether they desire Alaska to remain a football for politicians, with self-constituted "boosters," quarreling at Washington, during every session of Congress, as to what are the real needs of Alaska, or whether the people of Alaska are

delegate would work for some form of home rule anyway. After the smoke of battle had cleared away most of the newspapers announced themselves as ready to endorse him and that program. But mention of territorial government was infrequent during the months following election, and the subject was omitted from Roosevelt's messages of 1908 and Hoggatt's report of the same year.

Patronage Politics

It was left for Wickersham to bring up the subject when he visited Juneau in February, 1909, on his way to Washington and a conference with Roosevelt. The delegate-elect repeated to the Juneauites his pre-election promises, emphasizing those for a limited form of territorial government, for abolition of the fisheries rebate, for labor liens on mines, and for federal building construction at Juneau. He told the people how minor a position the territory's delegate held at Washington, in spite of the fact that he represented "more coal than the two senators and thirty-six representatives from Pennsylvania, more gold than the two senators and thirteen representatives from California, more fisheries than all the Atlantic Coast senators and representatives combined, and more copper than Montana's entire delegation." He declared that he would not interfere with other officials nor would he allow them to interfere with him. Finally, he asked for frequent communications from Alaskans. At Seattle a few days later he expressed similar sentiments with a little more boldness in the defiance to "Alaska officials who oppose the wishes of the people of the territory." Needless

capable of, and desirous of, attending to their own business and managing their own affairs." *Prospector*, June 25, 1908.

to say, these remarks met with enthusiastic approbation among his listeners.⁶⁰³

Arrived at the national capital, the new delegate found himself at a distinct disadvantage: his staunch supporter, Roosevelt, was leaving Washington official life as he entered it; his political enemy, Shackleford, was firmly ensconced as the legitimate head of the territorial Republican machine, in full enjoyment of the support of Hoggatt, who shared with him a lack of love for the candidate who had defeated their nominee in 1908. But Wickersham was an experienced hand at the political game; he had good reason to know that warring on federal officials was a favorite pastime among his constituents and that "the open session for judges in Alaska is all the year round."⁶⁰⁴ Therefore he was prepared to meet the situation and what few surprises it might offer. The first serious strife came in connection with the patronage of which there was an extra amount pending because the Senate had refused to act upon the later Roosevelt nominations. For this conflict the delegate soon fortified himself by achieving an understanding with his old opponent, Senator Nelson, who was a member of the Judiciary Committee, and was at this time ready for mutual concessions along the line of procuring such legislation and officials for Alaska as might be most beneficial to that territory.⁶⁰⁵ With a like desire for harmony, the

⁶⁰³ The Juneau visit was reported in *Alaska Record*, and *Dispatch*, Feb. 17, 1909; that at Seattle in the *P. I. and Times*, shortly after; v. also *Dispatch*, Feb. 24 and *Prospector*, Feb. 25. The Seattle banquetters hailed Wickersham as the "Prince" who would lead Alaska, "Cinderella," out of her gloom.

⁶⁰⁴ *Prospector*, Jan. 28, 1909.

⁶⁰⁵ Nelson had a large Alaska following, because of the interest he had always exhibited in that territory. The entente cordiale with him was therefore a distinct achievement, and as such, was duly advertised to the people through a special dispatch o. k.'d by him.

mutual friends of the delegate and of the national committeeman, tried to patch up between them a truce looking toward fair play in the division of the spoils. President Taft, Secretary of the Interior Ballinger, and Attorney-General Wickersham were also desirous of peace in the political family.

But the presence of Governor Hoggatt in Washington threw the plans awry. He and Shackelford sent to Postmaster-General Hitchcock a letter attacking the delegate, as the representative of liquor and gambling interests only, and Alaskans, in general, as too lawless to be entrusted with the election of municipal peace officers. This communication Hitchcock referred to the delegate for a reply, which was soon forthcoming in the guise of a forty-six page letter denouncing the Republican machine in Alaska as a Guggenheim organization led by grafters such as Chairman Shackelford and Secretary Shea, of the territorial committee.⁶⁰⁶ Regardless of the relative truth of the assertions in the Hitchcock correspondence, they dimmed the prospects of peaceful patronage for Alaskans, until relief came from an unexpected source. That source was Secretary Ballinger, who suddenly issued a general order for all federal officials to return to their posts of duty.⁶⁰⁷ According to the Alaska press, the decree was aimed

⁶⁰⁶ For specific descriptions of the Hoggatt-Shackelford letter, *v. Dispatch*, April 2 and *Prospector*, April 8, 1909. Reference to the Wickersham reply is made in *Dispatch*, June 8 and *Alaska Record*, June 10, 1909. Since January the territorial papers had been full of the patronage scrap in all its details.

⁶⁰⁷ On Mar. 20, 1909, the President approved an order issued by the Secretary of the Interior: "Under the administration of Secretary Ballinger of the affairs relating to territories the territorial officers will be expected to devote their time exclusively to the duties of their respective offices, and leaves of absence to enable such officers to visit Washington will not be approved by the Secretary, except in cases of emergency, the reasons for which must be satisfactory to the Department;" 61C:2S., *Hearing*, S. Com. on Terr., Jan. 20, 1910.

at three governors, Curry and Kibbey, who had been lobbying for statehood for New Mexico and Arizona, and Hoggatt, at work on other projects. At any rate, it was not long before the officials in question had each returned to his proper precinct.

Wickersham utilized Hoggatt's departure to fortify himself with the administration. Twelve citizens of Ketchikan had sent him a telegram asking him to thank Secretary Ballinger for returning Governor Hoggatt to Alaska, and endorsing Wickersham as the delegate and true representative of the territory. He sent a copy of their telegram to Ballinger, "to show him the sentiment of the people of Alaska in respect to the governor" and informed the senders of his action.⁶⁰⁸ The governor, who had already indicated to President Taft a distaste for Alaska politics and a desire to reënter business life, was finally permitted to hand in his resignation. But this he was not allowed to do until his successor was about to be named.

The man nominated, and confirmed within forty-eight hours thereafter, on May 20, 1909,⁶⁰⁹ was Walter E. Clark of Connecticut, Washington correspondent of the *New York Sun* and numerous other papers, and known to Alaskans for his daily dispatches on their affairs as sent to the *Post-Intelligencer*. It is important for an understanding of future events to know that as a correspondent he had displeased Roosevelt, who debarred him from the White House. But he had done much newspaper work in the interest of Taft's election, and in magazine articles had flattered Knox, who thought highly of him. It seems that after Knox became Taft's Secretary of State the Hoggatt-Shackle-

⁶⁰⁸ *Ketchikan Miner*, quoted by *Dispatch*, April 22, 1909.

⁶⁰⁹ Clark did not take official charge of the Alaska office until Sept., 1909.

ford group arranged through him that Taft would appoint Clark should Hoggatt resign. When this arrangement was carried out, Roosevelt interpreted it as an insult to him and as a favor to the big interests. The change of governors came too suddenly for effectual protest. Nevertheless the delegate objected, on the ground that the appointee was not an Alaskan and would perpetuate the Hoggatt-Guggenheim régime for which he had formerly acted as press agent.⁶¹⁰ Some editors charged that this "gumshoe" appointment was made simply as a favor to Ballinger and others of the Washington delegation to whom the correspondent had given free press notices; according to others Taft had permitted Hoggatt to name his successor, who was therefore "tainted with the hessianism and toryism" of that faction.⁶¹¹

Undoubtedly the appointment was made expeditiously to forestall protest. This much the administration admitted, with the added information that the President and the Secretary of the Interior had chosen the new governor as one who was personally known to them and upon whom they could rely to discourage the factionalism which they deplored. Furthermore, it was announced that Clark had at first declined to serve and at length accepted provisionally, for one or two years.⁶¹² The new governor was much better fitted to

⁶¹⁰ According to the *Dispatch*, of May 19, 1909, Clark's Washington wires of the previous winter were so unfair to Wickersham that the managing editor of the *P. I.* felt called upon to ask him to change his tone.

⁶¹¹ *Katalla Herald*, quoted by *Dispatch*, July 28, 1909.

⁶¹² Comment upon the change of governors was made in the territorial and Puget Sound press beginning May 18 and for several weeks thereafter. Hoggatt's failure was rightly ascribed to his intolerance of the opinions of others, in turn due to his business associations and to the cumulative effect of his training as an expert along three lines—those of mining, law, and the navy. For a laudatory requiem, *v. Record*, Oct. 1, 1909.

the position than his predecessor but the association of his name with that of those who had secured his appointment was a distinct handicap to his administration. Those who excited themselves over the Ballinger-Pinchot affair conceived of Clark as Ballinger-incarnate, seated upon the gubernatorial chair of Alaska.

Clark had before him a hard task, to win the confidence of his people and to smooth out the patronage. The popular suspicion which attached to an outsider and to one reputed to have Guggenheim affiliations was difficult to combat; but fortunately for him, there was a general inclination to defer judgment upon him, because he was welcome as a change and it was believed he might add to the prosperity of the territory by judicious advertisement of it. Upon the patronage struggle, the change of governors had at once a pacifying effect; for Clark and Wickersham entered into conference and made a trade of two judicial appointments satisfactory to them as well as Shackleford. As both the new appointees were Alaskans, the administration apparently desired to dispose as far as possible of the obnoxious charge of carpetbagism.⁶¹³

By September the patronage had been amicably adjusted, other details arranged, and Clark was ready to start north. On his way he stopped off at the President's summer home, Beverly, Massachusetts, for a conference. The matters then and there discussed were chiefly two – how to take the governorship out of politics, and how to adjust the Philippine Commission plan of government to Alaska. Clark's open instructions were for conciliation, that Alaskan interest might

⁶¹³ A Shackleford candidate named Lyons and a Wickersham candidate named Overfield were made judges of the 1st and 4th divisions, with temporary details to the 4th and 1st, respectively, to give factionalism time to die down.

be diverted from factionalism to industrial development. He set to work along this line immediately and his early speeches and interviews explained his point of view. Without hesitation he spoke well of his predecessor,⁶¹⁴ but he made it plain that he intended to leave "the appointment of federal officials altogether in other hands." His work he described as that of encouraging coöperation toward the end of general prosperity. In this he asked the hearty help of the people of the territory, that they might cease their quarrels so as to increase the commerce and wealth of the region in which they all shared. As to the Guggenheims, Clark promised to do what he could to prevent one class of operators from crowding out another, on the principle that "An equal opportunity must be afforded, within the limits of their respective abilities, to rich and poor alike." As to territorial government, Clark described himself as a non-partisan. He cordially agreed that there was "urgent need for improvement in the existing system of territorial control." He assured Alaskans that on this problem Taft was seriously engaged, and would make a statement at the proper time, and they meanwhile had best devote themselves to civic matters and the development of resources.⁶¹⁵

The new governor had made an amiable beginning; but his hopes for the diversion of public attention from politics to industry were already doomed. The delegate of the territory and the President of the United States had each prepared a message for Alaskans – and each message was surcharged with politics.

⁶¹⁴ At Wrangell, which had always been pro-Hoggatt. Clark's remarks there were described in the *Alaska Record*, Sept. 29, 1909.

⁶¹⁵ This formal announcement of his policy was made at an inaugural gathering at Juneau, reported in the *Alaska Record*, Oct. 1, 1909.

Propaganda

Alaska, "The Red-haired Boy of the Nation"

Congress had been called for March 12, 1909, specifically for tariff revision, in which Alaska figured slightly,⁶¹⁶ but it afforded an opportunity for the introduction of measures upon other subjects relating to the territory. Of these there were three introduced by Senator Nelson for the amendment of the criminal code, the mining laws, and the homestead act, besides five introduced by Wickersham in the House and duplicated in the Senate through the courtesy of Perkins and Carter. The Wickersham bills were an attempt at the fulfillment of campaign promises: three were on behalf of his mining constituents, aiming to amend the laws so as to protect better the lives and property of miners by means of regular mine inspections and lien rights on dumps;⁶¹⁷ a fourth specified a government building appropriation for Juneau, and a fifth was a measure for an abbreviated legislature.⁶¹⁸ Not long after these bills had been introduced and four thousand copies of them mailed northward,⁶¹⁹ Wickersham returned to Alaska to feel the public pulse.

⁶¹⁶ During the debate on coal, protection to Alaska's infant industry was urged by Rep. W. Jones of Washington; 61C:11S., *Cong. Rec.*, pp. 3711-3717.

⁶¹⁷ 61C:11S., S. 2966 and H. R. 10322: S. 2969 and H. R. 10323: S. 2766 and H. R. 10577.

⁶¹⁸ 61C:11S., S. 2967 and H. R. 10576: S. 2968 and H. R. 10418; v. *Bills*, Sen. 5 and House 16, identical measures.

⁶¹⁹ *Dispatch*, June 30, 1909. Wickersham had a private secretary, Mr. Barney Goss, who acted as an efficient publicity agent.

He made an extended and thoroughly advertised tour of both interior and coast, holding meetings at the chief settlements and also going out to the creeks, where he gathered the miners together to present the plan of legislation to them. The bills on mining needed little defense and were received with general éclat; that for the federal building at Juneau roused some local jealousy but was justified on the ground that if Alaska expected to get territorial government she must have an established capital at which to locate it; the home rule measure was presented as a "temporary expedient" which took as long a "step in the right direction" as was then possible considering the views of President, Congress, and Governor. At all the meetings the delegates emphasized the importance of public endorsement for territorial government, urging that frequent mass meetings be held to discuss it and to inform him as to the consensus of opinion. Many were held and they indicated the status of home rule in the public mind.

The first thing they showed was the attitude toward the delegate himself, which was friendly, if not enthusiastic, everywhere except at Wrangell and Cordova and among certain groups at Fairbanks and Juneau.⁶²⁰ The opposition which was not purely individual was based upon Wickersham's instability, as indicated in the changes of policy which marked the transition from judge to delegate. His former attitude toward the open town and the uses to which private property owned by him might be put, were contrasted with the clause in the act for the legislature

⁶²⁰ The opposition sentiment was voiced through the *Wrangell Sentinel*, *Cordova North Star*, *Fairbanks Miners' Union Bulletin*, and *Juneau Alaska Record*; for typical criticisms of the delegate and his program *v. Alaska Record*, Sept. 30, Oct. 1, 6 and 7, 1909.

which left liquor and allied interests in the control of the national Congress. His opposition toward territorial government, as expressed before the House Committee on Territories in 1904 and in the letter to Hoggatt in 1907, was declared inconsistent with his introduction of a bill for a local legislature. However, the majority of Alaskans at this time were inclined to ignore, or cast aside as unimportant, their delegate's mental alternations; they were interested in examining his bills on their own merits. Those on mining and the Juneau appropriation were generally approved, and that for a limited local legislature precipitated a general discussion which was so handled as to make it second in importance only to the opening of the coal lands.

Inasmuch as Yukon Territory had recently advanced a step in the control of her own affairs, her citizens had been advising Alaskans, through the medium of the *Dawson News*, that they in turn should insist upon progress in democracy.⁶²¹ The territorial legislature bill introduced by Wickersham provided so modified a form of home rule that it was ridiculed by the ultra-conservatives and severely criticized by the extreme territorialists. For example, Governor Hoggatt described it as merely giving "the people the right to meet and pass resolutions, Congress still retaining the real

⁶²¹ In 1908 the Yukon Territorial Act had been amended (Chap. 76 of 7-8 Edward VII) so as to provide a wholly elective council of ten: in 1902 five had been made elective, *v. supra*, p. 247. The Yukon member of Parliament, F. T. Congdon, was at Dawson when Wickersham passed through on his journey to the interior (July 9, 1909) and the two were jointly cheered by the populace for their fights on behalf of direct representation and law-making by the people of the Yukon and Alaska. Both were anti-Guggenheim; *v. Tanana Tribune*, quoted by *Dispatch*, July 10, 1909. Comparisons of the Canadian and United States policies regarding immigration and railroads in the northwest were made at 61C:2S., H. Com. on Terr., *Hearing*, April 12, 1910, and 63C:1S., S. Com. on Terr., *Hearing*, May 10, 1913.

power;"⁶²² and the union miners objected because it did not provide counties and freedom in levying taxes and creating offices.⁶²³ Also the conservative Panhandleites feared that organization of the territory as a whole would throw the burden of support upon the taxpayers of their section.⁶²⁴ The most striking feature of the bill was the set of limitations it imposed upon the territorial legislature: gambling and liquor were left under the exclusive control of the federal government; no bonded indebtedness could be created or assumed by the territory; nor could any tax be levied in excess of one percent on assessed valuation. Yet these restrictions did not deter the general run of citizens from approving the bill: they took Wickersham at his word when he told them that only a limited legislature, "closed town," measure could possibly pass the critical prejudices of the administration and Congress at Washington. Even such a measure, they were told, drafted as it was with the object of arousing the smallest degree of opposition, would need to be introduced into two or three congresses before it could become law.⁶²⁵ For passage, support from the administration was considered the first requisite, and great importance therefore attached to the attitude of Taft. An expression of his opinion upon home rule for Alaska was awaited with anxiety.

Early in May there had been considerable hope for a visit from the President, who was seriously considering the acceptance of the numerous invitations which had been telegraphed him by Alaska mayors and editors at the instigation of Wickersham.⁶²⁶ There had

⁶²² *Cordova North Star*, quoted by *Dispatch*, Aug. 5, 1909.

⁶²³ *Fairbanks Miners' Union Bulletin*, quoted by *Dispatch*, Nov. 3, 1909.

⁶²⁴ *Wrangell Sentinel*, quoted by *Alaska Record*, Oct. 18, 1909.

⁶²⁵ *Prospector*, June 10, 1909.

⁶²⁶ According to the *Dispatch* of April 19, 1909, Wickersham wired twen-

been talk of a congressional appropriation, or an Alaska subscription, to pay expenses for the presidential voyage, of the refitting of the S. S. Yucatan for the purpose, and of a special itinerary made out by the delegate at the request of Taft. Even the patronage lost in interest with the prospect of entertaining the distinguished guest. Alaskans felt, "We will not care a whoop who is chosen marshal of some district a thousand miles away when big Bill Taft steps on the lower edge of Alaska and tips up the whole territory."⁶²⁷ But by the middle of June these hopes of upheaval went glimmering because of the illness of Mrs. Taft and the delay in the passage of the tariff bill. Curiosity as to the executive attitude on home rule remained unsatisfied until Taft came to Seattle to inspect the Alaska-Yukon-Pacific Exposition there in progress.

It was a truly great occasion. The fraternal organization unique among Alaska pioneers, the Arctic Brotherhood,⁶²⁸ held a conclave on the Sound by special dispensation, with the idea of honoring Taft with initiation into the mysteries of its degrees and of demonstrating to him the worthy and cosmopolitan quality of Alaska's citizenry. His coming was also awaited by a special telegram from Alaska, signed by sixteen of the territory's nineteen newspapers, seven mayors, and two chambers of commerce, asking for territorial government.⁶²⁹ The "sourdoughs" were in a prayerful

ty-four mayors of Alaska towns to send Taft invitations for a visit to their territory.

⁶²⁷ *Ketchikan Miner*, quoted by *Dispatch*, April 26, 1909.

⁶²⁸ The Arctic Brotherhood was organized during the Klondike rush and its membership included Canadians as well as Americans, although the boundary dispute was then the chief topic of the time; *Dispatch*, Dec. 18, 1912.

⁶²⁹ The telegram was dated Sept. 25, 1909, and asked Taft to recommend and support "an elective Alaska legislature in substantial conformity to Delegate Wickersham's bill introduced at the recent special session of

mood. Their nightly petition, one claimed, ran thus: ⁶³⁰

Our Bill who are in heaven on this earth, Hallowed be Thy name, Thy Kingdom come, Thy will be done in Fairbanks, as it is in Nome. Give us this day a "poke" of "dust," that we may pay our debts; thereby make glad our debtors. Lead us not into barren ground, but deliver the dust. Then there is a kingdom, a power and glory for ever and ever.

When the recipient of these prayers made his first visit to the Exposition he found Alaska's display "most attractive," spent an hour upon it, and accepted the gift of one of its noble nuggets. Everything seemed auspicious. But with the great man's speech in the exposition's outdoor theatre, there came a bitter disappointment for Alaskans – the President said that he was opposed to territorial government. ⁶³¹

He appreciated that it was "utterly impossible and impracticable" to provide for Alaska's needs, in the way of local legislation and government, in Congress. But he thought the territory's population yet too sparse, mobile, and sectional in feeling, to warrant entrusting such important duties to a territorial legislature. Therefore, "properly to develop Alaska for the benefit of everybody in it," some temporary device must be adopted. The President thought he had hit upon one. He would bring the territory under the management of one bureau and department in Washington; he would center all responsibility in one bureau chief, whose business it should be, through his department, "to present to Congress the needs of the territory, to fol-

Congress;" 61C:2S., S. Com. on Terr., *Hearing*, Jan. 20, 1910. The signers were enumerated in the *Record*, Oct. 6, 1909.

⁶³⁰ Fair (Agnes T.), *Sourdough's Bible*.

⁶³¹ A stenographic report of the presidential address was made in the *P. I.*, Oct. 1, 1909.

low legislation and to attend to everything at the national capital in which the people are interested." Domestic legislation Taft would entrust "to a commission of five or more members, appointed by the President, to act with the governor in the discharge of such legislative functions," with final review of their acts by the department head in Washington. Taft further observed that this was "practically the government which was given to the Philippine Islands, although the commission there had more legislative authority than it would be wise or necessary to give the Alaska commission." Just what this arrangement would do to the prestige of the gentleman elected by Alaskans to represent them in Washington, was not specified. But the executive took the precaution to state that it would not be necessary to dispense with the delegate,⁶³² and that his plan for the government of Alaska by appointment was due, not to any lack of worthiness in Alaskans themselves, but to the nature of the conditions with which they were surrounded. In the meantime the President wished to do all in his power to hasten the day when Alaskans would be ready for more representative institutions and to that end he was ready to "unhesitatingly recommend" government guarantee of railroad bonds.

Mr. Taft did not, unfortunately, understand the frontier man or the westerner. His speech, therefore, lacked tact. As the *Dispatch* of Nov. 17, 1909, put it, he failed "to take human nature into account." Whether or not he had any notion before hand as to the probable effect of his proposals, he was not long left in

⁶³² When a bill based on these recommendations was before the S. Com. on Terr., Wickersham told the gentlemen it would give the delegate nothing to do but collect his salary and quarrel with the Commission; 61C:2S, *Hearing*, Jan. 20, 1910.

doubt as to popular opinion upon them. Alaskans and even Seattle people strongly resented the classification of the population of the territory with the Philippines, as unfit for self-determination. Cries of "No! No!" rather than applause, interrupted the Alaska part of his speech at the exposition, and the Arctic Brotherhood initiation that evening suffered for lack of enthusiasm. This did not move Taft; he offered to renounce his title of Honorary Past Grand Arctic Chief if the fraternity begrudged it on account of his honest opinions.⁶³³ Later at San Francisco he repeated his recommendations for an appointed commission, and at Los Angeles he added the dictum that people generally mistook popular government as an *end*, when it really should be treated as a *means* to human happiness.

The Grand Officers of the Arctic Brotherhood realized that they had overstepped themselves and took vows to confine future initiations to Alaska territory. They narrowly escaped a split in their organization by avoiding a vote on the home rule issue. A few of the Seattle Alaskans, especially Senator Piles and some of the conservative business men, were inclined at this time to favor the Taft plan, in the belief that guaranteed railroad bonds were at any rate more important than territorial government. But the like was not true of the majority of the pioneers. They were never fully informed as to the proposed plan, but they knew that it carried no proviso for a gradual evolution of the commission from an appointive body into an elective one. Their local politicians realized that the President was not likely to make choice of commissioners from among their number. Upon the northerners, consequently, the administration proposals had a stiffening and a

⁶³³ *Dispatch*, Oct. 1, 1909.

unifying effect, changing indifference to interest, and interest to advocacy, as far as a local legislature was concerned. As an old prospector well explained it, their experiences had made Alaskans "rather leary of appointive officers."⁶³⁴ It was hard for them to understand why Taft had ignored the telegram from the newspapers, mayors, and commercial bodies. They asked "Why?" and Wickersham was ready with an answer. The President, said he, had been misled by selfish "interests" and the duty of all Alaskans henceforth must be to educate him, as well as everyone else, on the true nature of the northern territory and its inhabitants. He was ready, himself, to return to the fray at Washington but for this he required the endorsement of his constituents. He requested them to observe "Alaska Day," on October 18, as a special time for a formal endorsement of the bill for a local legislature. With a few exceptions,⁶³⁵ his request was acceded to: thereby was the delegate further fortified.

Before he returned to Washington he gave a number of speeches along the coast, and in the Panhandle particularly, with support for his legislature bill and for his 1910 campaign in mind. At Valdez an "Alaska Territorial Club" was organized, with the object "to advance the interests of Alaska and particularly to endorse and aid our delegate to Congress in his efforts toward securing a territorial form of government." Publicity was its method, perfected through the press

⁶³⁴ Statement of Captain Hall, to H. Com. on Terr., Mar. 11, 1910.

⁶³⁵ A significant exception was a Cordova "mass meeting" which voted against home rule, 19-3, with about a dozen refusing to vote; *v. Prospector*, Oct. 21, 1909. At Valdez four persons withheld approval, on the ground that it was impolitic to oppose the President's wishes and what Alaska really needed was a railroad; *ibid.*, Oct. 28, 1909. Cordova and Valdez were the chief settlements in the railroad disaffected area.

and appeals to Congress.⁶³⁶ At Juneau and Douglas the visit of the delegate increased the friction already existent. In those towns and Treadwell, factionalism was ablaze over the attempted enforcement of federal laws against liquor-selling and gambling, the boycott of the *Record* for its blue law policy, the ousting for similar reasons of R. A. Gunnison, judge of the first division, the seizure of the Republican machine by Shackelford and Shea, and the indictment for criminal libel of several editors who had waxed eloquent over the various conflicts. To the general mêlée had been added accounts of Wickersham's defense of mine inspection legislation in the Tanana, garbled to constitute grave charges of unexplained deaths in the Treadwell mines. The discussion of these charges, real and reputed, contributed in turn to the anti-corporation, or anti-Guggenheim complex, which was the only popular form which the theory of conservation could assume in the north.

Home rule also figured largely in these turbulent meetings, because people wanted Wickersham to explain his letter to Hoggatt in opposition to territorial government. Of this the delegate summarily disposed, explaining, "It is true that I was and am opposed to a top-heavy form of self-government in Alaska as advocated by many of the best men of the north. I do not believe in a territorial form of government with county organizations at this time, as favored by Delegate Cale and my letter plainly said so." This elucidation satisfied his friends and left his enemies no less avid in their charges that he was trying to carry water on both shoulders.⁶³⁷ As regards the mine inspection bill, most

⁶³⁶ This organization was described in *Prospector*, Nov. 24 and Dec. 3, 1909.

⁶³⁷ The meetings at Juneau and Douglas were described in the *Dispatch*,

of the furore against it was fictitious as even the superintendent of the Treadwell mines favored all but one of its provisions. Upon the whole, the delegate departed from the territory in a strong position. On his way to Washington, he was tendered a Seattle banquet which afforded the opportunity for the repetition of his appeals for support and for public enlightenment as to the true Alaska. He there asked Seattleites to help controvert what he described as the systematic campaign of misinformation of which Taft and Alaska had been made victims. By the end of the year the leader of the home rule movement was back in Washington, as the protagonist of Alaska, a territory well named "the red-haired boy of the nation."⁶³⁸

Conservation in Terms of Monopolies

The temper of the territory was in no wise improved by the events which immediately transpired in the Alaskanized atmosphere of Washington. Party insurgency was asail, with the flag of conservation at the masthead, the guns charged with Cunningham claims, all missiles aimed at a figure of the administration called Ballinger. Pinchot was captain, with Glavis second in command. Would Alaska's delegate climb aboard, carrying all his luggage, home rule included? That he was politically bound to do; for to Roosevelt had Wickersham clung through five long recess appointments; Shackleford, the prototype of the administration in Alaska was an abomination unto the dele-

Alaska Record and *Douglas News*, on Dec. 9, 1909, and thereafter; *v.* also *Dispatch*, Jan. 5, and *Alaska Record*, Jan. 24 and 26, 1910, the former a friendly sheet and the latter a bitter enemy. The Douglas meeting was aired at 61C:2S., H. Com. on Mines and Mining; *Hearings* April 4, 7, 8, 1910.

⁶³⁸ *Seward Gateway*, quoted by *Dispatch*, Oct. 15, 1909.

gate; and the victorious banner of 1908 had stoutly carried the legend of anti-Guggenheimism. No other course was open.

In the engagements which followed, the Alaska warrior fought valiantly in many a stiff encounter. Battle raged over mining laws in general and coal claims in particular; fur-seal fisheries that no longer paid and salmon fisheries that thrived in spite of everything; roads that led to old placer camps and roads that ought to lead to new; rates set by the Secretary of Interior and rates refused by the Interstate Commerce Commission; land withdrawn from entry and lands opened; a legislative council appointed by Taft and a legislature elected by Alaska's pioneers. After each *mêlée* the sea was strewn with the wreckage of damaged reputations, and the surviving combatants salved their wounds in contemplation of sweet revenge.

All this played havoc with plans for constructive legislation. One can not simultaneously build and battle. But in the brief interstices of breath-taking the Sixty-first Congress patched together a modicum of compromise measures which became law by accident as much as reason. Among these were a few Alaska bills, chiefly of economic significance. Home rule was not one of them. Yet that issue obtrusively thrust itself forward in all discussions and bided its time for reward.

The conservation issue became the tool of the home rule movement in a contradictory sense. Conservation advanced the ideal thesis that the resources of a country exist for the benefit of the entire nation, rather than for a few persons capable of exploiting them. Alaska abounded in exploitable resources. So far as the experiences of the territory had gone, they had not bene-

fitted her people. Instead they had benefitted "foreign" corporations which "robbed" the territory of her resources, and the United States government, which received the fees for granting privileges to monopolies.

The first monopoly, that of the fur-seal fisheries, had practically destroyed the industry: there was nothing left in Alaska to show for the forty years of private leasing except the barren rookeries. The government was losing so much money in a vain attempt to protect the monopoly that in 1910 it took over the dying business itself in an attempt to resuscitate it. This change of hands indicated the failure of private leasing but did not signify that the fur-seal business was to become part of the domestic economy of the territory. Rather it remained a Washington, D. C. - Pribilof Islands economy, without intermediate points of contact. At such a distance the new adjustment could not concern the territorialists closely, but it contributed to their uncomfortable sense of futility.⁶³⁹

The second monopoly was a partial one, held by the Alaska Packers Association and the Northwest Fisheries Company. Of the forty canneries operating in Alaska in 1909, the former combination owned eleven and the latter seven. Twenty-two were independent. As far as is known but two attempts had been made to organize the Alaska salmon industry into a trust - one by the Alaska Packers, 1890-1895, and another by J. P. Morgan, 1904-1907. Both of these failed. The industry remained upon a competitive, low-price basis, with an accompanying waste of the resource. Beginning with 1899 it has been assessed a tax amounting to from ten to sixteen mills on the dollar of the wholesale

⁶³⁹ *V. Act of April 21, 1910 (36 Stat. L., 326)* also debate, 61C:2S., S. 7242. *Hearings, H. Com. on Ways and Means, April 2, 1910 and 63C:3S., Jan. 18, 1915.*

product: to that extent it contributed to the "Alaska Fund" for roads, schools, and care of the insane. But by 1906 depletion of the salmon supply was apprehended and an act was passed to divert as much as possible of the fish tax from the Alaska Fund into private hatcheries. Granting the laudable desire of the canners and the legislators to save the fish supply, they utterly failed to consider the effect of the rebate upon the territorial purse and psychology. As months passed the act not only failed to vindicate itself as a measure of fish conservation, but it worked a depletion in the "Alaska Fund" at the same time. The result was that while such of the canners as conducted hatcheries were spending more on them than they were saving on rebates, the Alaskans believed them to be adding to their guilt of destroying the fish supply that of avoiding taxation also.⁶⁴⁰ It appeared to them eminently desirable to destroy this pernicious influence in Alaska life by denouncing it publicly upon every possible occasion.

As the representative of the territory Wickersham said he hoped to hasten her development by increasing her revenues and enlarging her occupational fields.

⁶⁴⁰ For the circumstances connected with the passage of the rebate *v. supra*, pp. 268-269. It is difficult to obtain the exact rebate figures. The Valdez Grand Jury of Jan., 1908, mistakenly gave those of the previous year for the Alaska Packers Assoc. as \$32,272 in rebate and thirty-two cents in stamps; 60C:1S., *S. Doc. 351* (5265). Attempting to verify these figures, one is confronted with a ridiculous maze of contradictory official reports. The rebate figures of the Packers Assoc., 1906-1909, are given in *Hearing, H. Com. on Terr.*, May 9, 1910. The Alaska Packers Assoc., taking forty-eight percent of the catch, and the Northwest Fisheries, taking thirty-three percent, suffered the brunt of the attacks, although they sinned less than their smaller competitors to whom conservation was less of a vital necessity. In any event, the political question was neither the accuracy of the figures nor the honesty of the canners, it was the apparent contribution of the salmon industry to the territorial establishment. The answer was clearly negative and the inference was naturally uncomplimentary.

He therefore introduced a bill to repeal the rebate, tax the fisheries more fully, and offset some of the seasonal disadvantages peculiar to the salmon trade. At the ensuing hearing he contended that private hatcheries were a failure and that the fisheries were not contributing their proper share to Alaska's development and progress. Inasmuch as he failed to persuade congressmen that the canners were culpable or that the rebate should be repealed, his bill died in committee. But, as was doubtless his object, the issue had been advertised with sufficient thoroughness to give it a standing for future purposes, in both legislation and politics.⁶⁴¹

The third monopoly, that of transportation, was a thing of confusion worse confounded, because it was an awesome mixture of accomplished facts and potential fears. The most important lines of ocean transportation, had been brought under the control of the steamship holding interests which Mr. Jarvis represented, the Alaska Syndicate.⁶⁴² Their ships carried the biggest part of the public tonnage, that is, the freight which did not pertain to private canneries using their own boats. According to the statement of their New York counsel, Mr. John N. Steele, at a hearing of the House Committee on Territories, Feb-

⁶⁴¹ *V. 61C:2S., H. Com. on Terr., Hearings, on H. R. 22579, April 19, 25, 28, May 2, 3, 5, 9, 25, 1910.* There statements were made by Wickersham, Dr. B. W. Everman, assistant in charge of the Bureau of Fisheries, M. C. Marsh, Alaska salmon agent for the Bureau, and by the representatives of the Alaska Packers Assoc. The typical Alaskan attitude was represented by the press clippings, of which the delegate introduced many. The hearings also showed the typical middle ground of the government bureau expert, being neither monopolistic nor popularly destructive, in his view and influence. The publicity connected with the hearings moved some of the small concerns to pay up taxes past due.

⁶⁴² For further details *v.* the report upon that investigation cited *infra* n. 651.

ruary 15, 1911, the fundamental object of the Alaska Syndicate was the development of copper holdings. It was for this purpose that it acquired and operated transportation lines. It was formed in 1906 by J. P. Morgan and Company and the Messrs. Guggenheim, soon purchasing interests in the Bonanza Copper Mines and the Northwestern Commercial Company. The interest in the latter amounted to forty-seven percent and involved subsidiary interests because the corporation owned the Northwest S. S. Company and the Northwest Fisheries Company and held stock in the Northwest Development and Lighterage Companies. Although chiefly a steamship concern, its fisheries adjunct came to own twelve of the forty canneries operating in Alaska and put up one-eighth of the entire pack. The Northwestern Railroad Company was another of the early purchases of the Alaska Syndicate, all of the stock being acquired in this case, and, after six years of experimentation with routes from Valdez and Kattalla, it became known as the Copper River and Northwestern, operating from Cordova to Chitina with a branch to the Bonanza Mines. The steamship interest was merged, in 1908, with the formerly independent Alaska Steamship Company, taking that name, and becoming the strongest of the few public and many private lines operating in northern waters. Although the fisheries interests were disposed of subsequently to the Booth Company, stock in the Beatson Copper Mines was added to the combined holdings of the Syndicate in 1910.

Small wonder therefore, in view of these numerous holdings ranging from a forty-seven percent interest to complete ownership, that the popular concept of the Syndicate grew to alarming proportions. Many Alas-

kans came to believe firmly that the trust owned all but one of the Pacific Coast smelters, and had absorbed the only considerable competitor in the ocean transport field, the Pacific Coast Steamship Company. Public opinion was not greatly affected by the fact that the Syndicate's officials persistently denied such ownership and absolute proof of it was not adduced. For the practical purposes of politics, belief was as powerful as incontrovertible fact. Moreover, the representatives of the concern had signed, in 1907, an option looking to the development of coal claims which Clarence Cunningham and his associates were pushing to patent. The Ballinger-Pinchot affair prevented the fulfillment of these hopes.

Practically no plans for land transportation were in a promising state, except those somehow connected with the railroad ambitions of the same financiers. It appeared that they might eventually possess all of the few available routes to the Alaska mineral resources. But neither they, nor their numerous would-be competitors, held title to the coal lands, or had any immediate prospect of getting it. Therefore trunk line construction stood still, and development with it. The only certain things about the situation were Alaska's dire need of trunk lines and her future continued dearth of the same, unless a discredited policy could be restored to respectability.

The good old land grant days were reviewed in committee hearings in happy retrospect by promoters of rail concerns, but such expressions of felicity were scarcely warranted by the constituencies of members in debate upon the floor of the House. The discomfort of the committeemen was well brought out at some of the hearings before the House Committee on Terri-

tories. At one of them Representative Good, of Iowa, explained to an attorney for the Alaska Syndicate, "I want to know the facts . . . and do not want to have anything put over on me, so to speak, as a member of this committee."⁶⁴³ Chairman Hamilton further explained upon the same occasion, how the gentlemen must have the facts "to satisfy the most inquiring mind upon the floor of the House of Representatives – and they develop a great many inquiries," because of the "existing prejudice against the Alaska Syndicate." Further, the committee felt it had a "reputation for great care" to maintain. In effect the committees of this Congress and that immediately following were acting upon what they regarded as socialistic theory, which they indignantly repudiated as individuals. Their line of action, if followed to its logical conclusion, would have destroyed the property system with which they were all really identified in purpose and sympathy. Most congressmen compromised – they continued to hold dear their old beliefs and acted contrary to them for but a brief expedient space.

The Alaska measures introduced bore witness to these facts, in that they were shorn of their former petitions for special land grants and asked rather for the customary extensions of time and relief from taxation, and for that government guarantee of bonds which had found favor in the sight of the President.⁶⁴⁴ The latter consummation was devoutly wished by the smaller companies but it was very far off, because Congress boasted no pride in obedience to the executive and the Alaska Syndicate needed no government guarantee to place its bonds on Wall Street. What it needed was

⁶⁴³ 61C:3S., *Hearing*, Feb. 10, 1911. For the earlier situation in regard to railroad schemes before Congress *v. supra*, pp. 264 ff.

⁶⁴⁴ Seattle speech, *v. supra*, pp. 330-331.

fuel and freight in the form of coal. It wished no more for itself or others. Naturally, as long as Congress could not grant it, the railroads could not build, and Alaskans, or their freight, could not ride. What could Congress do in the face of this dilemma? If the railroads could build without government aid, said aid should not be given. If the railroads could not build without government aid, the United States could not afford to run the risk of giving it. Congress found temporary refuge in the conclusion that the railroads were "bluffing" and Alaskans must wait.⁶⁴⁵

The fourth monopoly, that of coal as held by the United States government since withdrawal of lands, was the keynote to Alaska's economic and political situation. Back in 1900, when Congress made the United States coal land laws applicable to Alaska, no helpful result was effected, because the act required public surveys, of which the territory had none.⁶⁴⁶ In 1904 this difficulty was removed by permitting entry under private survey; but as individual holdings were left at one hundred and sixty acres, a minimum impossibly small for practical development, the act had no good effect.⁶⁴⁷ A small number of entries were made, including those of the "Cunningham" group; but indications were that an attempt was under way to exploit ruthlessly the territory's resources; and Roosevelt with-

⁶⁴⁵ The only railroad legislation passed by the Sixty-first Congress was that granting bridge-building rights, extensions of time, and exemptions from taxes. However, there was a variety of schemes presented for the relief of the Alaska situation. The railroad attitude peculiar to the period may be better comprehended by an examination of bills and hearings; *v.* 61C:2S., H. Com. on Terr., *Hearings*, Mar. 28, April 1, 5, 7, 21, 26, 27, May 17, and 18, 1910: 61C:3S., Feb. 10, 15, 21, 1911, *v.* also 61C:2S. S. 6286, S. 6316, S. 7056, H. R. 14541, H. R. 22557, H. R. 22578, H. R. 23374, H. R. 23966 and H. R. 32842.

⁶⁴⁶ Act of June 6, 1900 (31 Stat. L., 658); *v. supra*, p. 182 and n. 338.

⁶⁴⁷ Act of April 28, 1904 (33 Stat. L., 525).

drew from entry, in 1906, all Alaska's coal lands.⁶⁴⁸ He adopted this expedient as a temporary measure to prevent graft until Congress should evolve some wise plan for the development of resources. Meanwhile, in 1908, a law was passed permitting consolidation of claims to the number of two thousand five hundred and sixty acres, and laying down rigorous restrictions for the prevention of monopoly:⁶⁴⁹ but except for that act Congress failed to meet the President's expectation that a definite line of coal land policy would be agreed upon; and did no more than pass a law, in 1910, legalizing the executive order of 1906.⁶⁵⁰ The result was that by that year no new claims had gone to patent and practically all old ones were held up by the Ballinger-Pinchot controversy over one group of them – the Cunningham claims.⁶⁵¹ The notoriety thereby given Alaska locked up her resources yet more securely while it unloosed a whole Pandora's box of political problems. That the Sixty-first Congress had good intentions may be surmised from the two democratic measures introduced and passed through the instrumentality of Senator Nelson and Delegate Wickersham. The one safeguarded the miner's claim by extending the time in which he could file and be served with papers; the other insured his wages by giving him a lien on the dump he created.⁶⁵²

⁶⁴⁸ Proclamation of November.

⁶⁴⁹ Act of May 28, 1908 (35 Stat. L., 424) *v.* also *supra*, p. 305.

⁶⁵⁰ Act of June 25, 1910 (36 Stat. L., 847).

⁶⁵¹ *V.* 61C:3S., *S. Doc.* 719, "Investigation of the Dept. of the Interior and Bureau of Forestry," 13 vols. (5892-5903).

⁶⁵² Acts of June 7, and 25, 1910 (35 Stat. L., 459, 848) *v.* also 61C:2S., *S.* 621 and *H. R.* 24149. As Nelson himself modestly put it (61C:2S., *Cong. Rec.*, p. 1897) "For nearly all the important legislation they have obtained within the last six or seven years I have drawn the bills and have been instrumental in getting them passed."

Attempts were made to pass a leasing measure, and to democratize the industry generally, but these failed because public opinion was not yet at the point of demanding them and the prejudices of the legislators were aroused in opposition. Also, the coal operators, whom leasing in theory would benefit, had with good reason lost faith in the promises of the government. Representative Mondell introduced a bill for leasing, not as an embodiment of his own ideas, but as an attempt, so he said, "to write into legislation, in a clear, concise form, what I conceive to be . . . the general consensus of opinion as to the policy that we should pursue in dealing with the coal deposits of Alaska."⁶⁵³ Wickersham fought the measure because he and many of his constituents did not favor leasing. They knew that it would cut out the speculative profits which otherwise might accrue to prospectors and various persons acquiring small tracts. The Delegate objected because the bill lodged the leasing power in the Secretary of the Interior and exempted prior claims, including those of the "Guggenheims," in whose interest he claimed it was introduced. The House killed Mondell's measure by a vote of 32-151,⁶⁵⁴ and a similar plan was defeated in the Senate⁶⁵⁵ by Borah. However, Wickersham wished to democratize the mining industry in so far as to limit placer claims to twenty acres and abolish associations and power of attorney in placer mining. On the last two points he was overruled by the Secretary of the Interior and his Assistant but was able to put through the House a measure limiting plac-

⁶⁵³ 61C:3S., H. Com. on Pu. Lds., *Hearings*, Jan. 27, and 30, 1911. For Mondell's announced policy see also 62C:1S., *Appendix*, pp. 55-62.

⁶⁵⁴ 61C:3S., *Cong. Rec.*, pp. 3231-3241, v. also H. R. 32080, H. Rept. 2190 (5848).

⁶⁵⁵ 61C:3S., S. 9955, S. Rept. 1023 (5840).

er claims to forty acres and restricting the use of the associations and power of attorney.⁶⁵⁶

During the debate upon the proposed measures the House witnessed a violent altercation between Mondell, who was chairman of the Committee on Public Lands, and Wickersham, an incident which the sedate *Congressional Record* described as an interchange of "menacing actions,"⁶⁵⁷ and which Washingtonians thought extremely regrettable. The territorial sentiment, on the other hand, was to quite an extent of the type that gloried in the fracas, interpreting it as but one of the many occasions on which their delegate fought that Congress might respect the rights of Alaskans! According to the *Valdez Prospector*, the altercation "aroused a vast amount of enthusiasm for the delegate's attitude, however much the incident was regretted." The Chamber of Commerce of that place sent to both the participants messages deemed appropriate by the extreme territorialists. They expressed the local feeling admirably, even though they were rather lacking in courtesy.⁶⁵⁸ The fistic encounter was but one of many tense moments in the halls and committee rooms

⁶⁵⁶ Cf. H. R. 10322 (*H. R. Bills 15*) and H. R. 31063 (*H. R. Bills 53*). An invaluable source of information as to the coal complex of Congress is the *Hearings*, H. Com. on Terr., Feb. 24, 25, Mar. 3, 30, April 8, 13, 14, 15, 1910, H. Com. on Mines and Mining, April 4, 7, 8, 1910; H. Com. on Public Lands, Jan. 27 and 30, 1911.

⁶⁵⁷ 61C:3S., *Cong. Rec.*, p. 3235.

⁶⁵⁸ That to Wickersham read: "On behalf of the people of Alaska we congratulate you for resenting the infamous insult and lie of Congressman Mondell. We differ from him in this, we are neither owned nor kept." That to Mondell read: "The people of Alaska resent the infamous falsehood and slander uttered by you Thursday. Alaskans are Americans, proud of their country, its records, traditions, and history, a sentiment and condition unknown to you. We have and ever will oppose establishment of Oriental despotism here to use as dumping ground for discredited politicians. Recent elections should cause you and your owners to take notice." *Prospector*, Mar. 2, 1911.

during the Sixty-first Congress, for "Collier's Congressional Records" and the "Investigation of the Department of the Interior and the Bureau of Forestry" cast all standards of behavior aside. Thus, while the nation was being aroused on the need for conservation, the national spotlight was turned upon Alaska, volume given to the outcry against "foreign" control of her affairs, and the home rule movement greatly accelerated. After two years of uproar, Congress was going to give Alaska a local legislature, but the interim partook of the nature of a melodrama in territorial affairs.

The Keystone Canyon and the Patronage

The reverberations from the clash of arms in the battle over the Cunningham claims echoed into the Alaska patronage. One illustration will show how "Guggenheimism" affected the holding of office in the territory. In accordance with the truce of 1909 arranged between the friends of Shackleford and Wickersham,⁶⁵⁹ the latter had named the marshal for the first division, choosing Dan Sutherland, his campaign manager at Nome in 1908. Mr. Sutherland did not long thrive after he was transplanted to Juneau, for Shackleford and Hoggatt soon preferred charges, with the administration, of incompetence in office, and secured his removal together with that of the district attorney, W. D. Boyce. This dismissal caused a public outbreak because Taft's policy of appointing Alaskans

⁶⁵⁹ By the truce Shackleford named the judge of the first division (T. R. Lyons) and the marshal for the fourth (H. K. Love); the judge for the fourth (P. D. Overfield) Wickersham named and his Nome campaign manager, Dan Sutherland, in whom Senator Lodge was interested, was made the marshal for the first. Taft broke a deadlock over the third division vacancies by naming a brother of ex-Representative Cushman (Edward E.) as judge and H. P. Sullivan as marshal.

to territorial places meant that each office-holder was backed by a genuine home faction. The Sutherland-Boyce faction was taken by surprise, became convinced that the men had been discharged without a hearing and prepared to fight for their reinstatement. They claimed that the real reason for the removal of the marshal and district-attorney lay in their announced intention to press charges of perjury and bribery against the Guggenheim witnesses in the trial of Hasey.⁶⁶⁰ The evidence implicated Carson and Jarvis, local attorney and treasurer respectively for the Alaska Syndicate, with the lesser individuals whom they had manipulated. It served to create a stupendous amount of scandal and enthusiasm throughout the Panhandle. The majority defended Sutherland, Boyce, and Wickersham, and execrated Shackelford and Hoggatt with Clark, who had changed his mind about leaving "the appointment of federal officials altogether in other hands."⁶⁶¹ The press flared out in a clarion call to the "Freeborn American citizens of Alaska," urging them to "Demand Justice." Mass meetings burned with partisan and anti-Guggenheim fervor expressed in resounding resolutions, and at Cordova an effigy of Clark was consigned to the flames. After receiving this indignant endorsement the deposées hastened toward Washington and the Senate Judiciary Committee. There they failed to secure reinstatement, but they dispensed to the public a considerable amount of in-

⁶⁶⁰ Through a discharged auditor, A. Douglas, they had secured from the files of the Alaska Syndicate a letter specifying payments for dishonest services rendered during the trial. The letter was addressed to Jarvis, by Carson, acting as counsel, and urged that payment be made to M. B. Morrissey for expenses in entertaining the government's witnesses; *v.* 61C:3S., H. Com. on Terr., *Hearings*, Feb. 21, 1911. For circumstances connected with the shooting *v.* also *supra*, pp. 307 ff.

⁶⁶¹ He had announced this as his policy at the time of his inaugural; *v.* *supra*, pp. 322-323.

formation regarding the insidious influence of the Alaska Syndicate upon politics and the courts, and they enlisted the support of men high in public life, including Senators Borah and LaFollette.⁶⁶² The President, however, gave his sympathies to Clark, tendering him a letter of confidence by way of salving the governor's scorched pride.⁶⁶³ The Sutherland-Boyce incident therefore further united Alaskans, in opposition to the "Star-Chamber"⁶⁶⁴ methods of the Syndicate politicians, in support of Wickersham, and in desire for a local legislature. This administration endorsement of Clark, Hoggatt, and Shackelford threw over the shoulders of the men who opposed them the glorified raiment of a sanctified martyrdom.

Failure of the Commission Plan

Meanwhile, the policy of President Taft, suggested at Seattle, had led the two Chairmen of the Committees

⁶⁶² Borah, Nelson and Overman constituted the sub-committee in charge of the Alaska contest, and Lodge was also interested in the issue, because of his friendship for Sutherland, a Massachusetts man. At the executive hearings, held the latter part of May, there were submitted the data produced by Sutherland, formal charges filed by Wickersham, Alaska petitions, resolutions and telegrams in support of both, and refutations by Shackelford and Hoggatt. The acrimony common to such hearings was much in evidence.

⁶⁶³ Wickersham had the political advantage of being persona non grata at the White House at this time, while Clark lost in popular esteem by Taft's assurances that he was to be congratulated "upon the gradual improvement in the character and efficiency in the public service in Alaska in the various departments." In the same letter Taft begged "all citizens of the territory to desist from making unsupported attacks upon residents who may be nominated to office." He also referred to his "unalterable position" in regard to the present election of a legislature, with the suggestion: "It is extremely to be desired that the people of the territory should unite, in favor of another scheme of government, abandoning the plan for a local elected legislature, since the plan is not only unsuited to conditions but unlikely to pass." This letter was used as a campaign document in 1910; Taft to Governor Clark, June 24, 1910.

⁶⁶⁴ The dispute figured prominently in the territorial press, beginning May 25, and continuing until the last of June, 1910.

on Territories, Senator A. J. Beveridge of Indiana and Representative E. L. Hamilton of Michigan, to introduce at the second session duplicate proposals for the government of Alaska by an appointed commission. On these bills the delegate had not been consulted, although the House Committee already had before it the elective legislature plan introduced by him at the earlier session. During January and February of 1910, hearings, often tense and dramatic, were held before the senatorial group, and in March and April the same was true of the House.⁶⁶⁵ The testimony there given varied with the occupation, training and natural bent of the witnesses, but it was soon evident that there was strong opposition to the administration plan.

The arguments submitted before the committee and on the floors of Congress were more interesting than clear or complimentary, because of the inseparable connection which had been established between the issues of home rule and corporate control. The delegate alleged that the chief exponents of the commission measure, and of the bills for coal leasing and general aid to railroads were in league with the War Department and the Alaska Syndicate to seize the coal lands. This they denied and some of them countered with the charge that the gentleman from Alaska was inspired by the motives of political advancement and revenge, since there had once been correspondence between him and the Syndicate relative to his employment as attorney. The lie was sometimes passed; witnesses had to

⁶⁶⁵ 61C:2S., S. Com. on Terr., *Hearings*, on S. 5436, Jan. 20-Feb. 19: H. Com. on Terr., *Hearings*, on H. R. 10418 and H. R. 19860, Mar. 7-April 12, 1910. Testimony before the Senate Committee was given chiefly by the Delegate, Major Richardson, then in charge of roads and trails construction in Alaska, ex-Governor Hoggatt, J. N. Steele, attorney for the Alaska Syndicate, and S. Birch, managing director of the same. That before the House Committee, of which Wickersham was a member, included several prospectors, as well as some patronage hunters and investors. *V. supra*, pp. 26-32.

be warned not to be too personal; and the committee tried in vain "to avoid any personal altercations" and to keep the argument "on a high plane of absolute logic."⁶⁶⁶

In addition to President Taft, one of the most prominent officials connected with Alaskan affairs whom the delegate attacked was General, then Major Wilds P. Richardson, whose work as head of the Alaska Road Commission had exposed him to the fire of popular wrath, because it was impossible to build roads fast enough to meet the prospecting needs of the territory and the nearest person was held blameworthy by some of the disaffected.⁶⁶⁷ The extreme bitterness of the delegate's attack was due to the Major's support of a railroad measure and the Beveridge bill, which carried provision for army officers on the governing commission, and in the framing of which Richardson, while on duty at Washington for road appropriation work, had been called into consultation. Against his presence at the capital Wickersham made vigorous protest to Secretary of War Dickinson, by means of a widely advertised letter.⁶⁶⁸ The Secretary declined to bid his subordinate return to Alaska; while the latter, who was more of a road-builder than a partisan, felt the delegate's strictures keenly, in spite of the fact that

⁶⁶⁶ House Hearing, of Mar. 7, 1910, at which the chairman announced with pride that "all legislation that has emanated from this committee has been absolutely beyond criticism;" and Congressman Humphreys of Washington in a similar spirit of humility regarding the Alaska problem, asked "Can you imagine any other body in the world better qualified to (weigh and judge) such arguments than the House of Representatives?"

⁶⁶⁷ Attempt was made to specify in what directions roads should be built when appropriation bills were up for consideration; *v.* 61C:2S., *Cong. Rec.*, pp. 491-495 and 61C:3S., pp. 914-918 and 1000-1001. The Pacific coast had engaged upon a futile campaign for a million dollar road fund for Alaska in 1909 and tried for five million in 1911. Valdez and Cordova sometimes engaged in libelous controversy over their respective trails.

⁶⁶⁸ Printed in full by *P. I.*, Feb. 1, 1910, also 62C:1S., *Cong. Rec.*, p. 4298.

public sentiment on the whole did not follow them. Richardson was in fact an honest and able official. Aside from any interest which the Morgan-Guggenheim firm may have felt in the Beveridge bill, there were few persons unwilling to admit that it might have proponents who were not inspired by dishonest motives. The attacks did not stigmatize the territorialists, however, for the reason that all American politics in 1910 was surcharged with vitriol.

During the Sixty-first Congress the House Committee on Territories failed to reach any decision upon either of the Alaska government bills before it. In the Senate Committee a majority was willing to report the Beveridge bill favorably, after it had been amended according to Wickersham's suggestions in every respect but the elective legislature. For the debate on the floor the minority succeeded in obtaining the aid of Borah who told the Senate: "To speak without detail today and candidly, in my opinion there is a controlling and important reason for this legislation; and if it was all known, there would not be any danger of the legislation going through."⁶⁶⁹ Thereupon the President wrote the Senator asking him to reconsider his opposition; Borah replied that his objections were founded upon such substantial reasons that he could not do other than oppose the bill. The President then asked for a personal conference, with the same effect, and the measure was finally abandoned.⁶⁷⁰

The administration plan had failed; not because of a

⁶⁶⁹ 61C:2S., *Cong. Rec.*, p. 1022. For the Senate debate *v.* pp. 1019-1027, and 1832-1841. Among the many interesting comments upon the measure in current periodicals was that of the *Outlook*, of Feb. 26, 1910, in criticism of an article favoring the Taft plan which was carried the same week and of which the editor disapproved. xclv, 413-414, 431-440.

⁶⁷⁰ Beveridge meanwhile was preoccupied with his political fences in Indiana.

lack of intrinsic worth but because its details and method of announcement fore-doomed it to failure. The process of its defeat showed how the state of politics was highly advantageous to the territorialists in that it gave them a nation-wide sentiment on which to carry their cause along. Conservation applied to the Guggenheims was manipulated to popularize a local legislature applied to Alaska. It was this state of affairs which in negative fashion assisted the delegate to defeat Taft's plan for governing the territory after the Philippine pattern; but its positive effects were not seen until, after two years of strenuous propaganda work, Congress enacted a law establishing a local legislature.

That small minority (little, if any, more than ten percent) of the residents of Alaska who opposed home rule, was motivated by a fear of taxation. Less than one percent of Alaska's area was in private ownership, a land tax would obviously be insufficient, and special taxes on industries would for a certainty be substituted. But these industries were then less influential at Washington than formerly; the Wickersham plan eschewed county organization, and the immense wealth of the territory had become generally acknowledged. At the national capital the more serious debate⁶⁷¹ therefore centered upon the questions connected with territorial status and population. Again they raised the issue, was Alaska an integral part of the United States or was she not; and did she have the sort of population to warrant a local legislature?

The word "district," first applied to Alaska to designate her customs, land, and judicial divisions, had been

⁶⁷¹ In addition to the hearings and Senate debate heretofore cited, there were two formal speeches delivered in the House by Wickersham, June 16, 1910, and Feb. 23, 1911; 61C:2S., *Cong. Rec.*, pp. 8340-8350, and 61C:3S., pp. 3190-3204.

perpetuated as a term of political significance, especially by such men as Platt, to whom the promise of future statehood was anathema. In spite of the decisions in the Insular Cases, the opponents of home rule in the north had clung tenaciously to the term. Of a like inclination was the Alaska Syndicate, because, as long as the title "district" was officially retained, the Secretary of the Interior might be said, under the Homestead Act of 1898, to have as much authority over transportation rates to and from Alaska as the Interstate Commerce Commission. Both had declined to exercise jurisdiction in the matter of a rate war which the Syndicate's steamship interests were conducting in 1909 and 1910 against a feeble independent company. When the delegate first attempted to force the Interstate Commerce Commission to accept Alaska jurisdiction, he did not succeed,⁶⁷² but events had been gradually playing into his hands. He continually insisted that everyone concerned must recognize the finality of the decisions of the Supreme Court in the Insular Cases, which had designated Alaska as a "territory" in the political sense.⁶⁷³ Also Roosevelt in 1904 had permitted the nomination of an Alaska cadet to West Point on the thesis that he came from a "territory." These facts Wickersham used as the backbone of his argument to prove that the status of Alaska was nothing other than that of an organized territory; and in time

⁶⁷² His amendment to the railroad rate bill for that purpose was lost 45-59.

⁶⁷³ For these decisions *vs. supra*, pp. 249 ff. The term district was amended to territory before it went to the Senate. Two years later, April 29, 1912, the Supreme Court, in *Interstate Commerce Commission vs. United States*, 224 U. S., 474, held that the jurisdiction of the Commission extended to Alaska and that it was an organized territory notwithstanding the absence of a local legislature. Ten years thereafter, Feb. 27, 1922, the Supreme Court, in *Alaska vs. Troy*, 42 Supreme Court, 241, held that Alaska was not a *state* within the meaning of the anti-preference clause.

Congress, as will be seen, conceded that the Supreme Court had established the potential right of Alaskans to elect a local law-making body.

It was more difficult to demonstrate the actual present need for the exercise of that privilege and for this purpose carefully elaborated briefs were prepared, arguing on the question of population. The number, character, and unity of sentiment of Alaska's populace thus became the chief subjects of debate. As to number, the exponents of the so called "military legislature" cited the census of 1910.⁶⁷⁴ The circulation of newspapers as given by ex-Governor Hoggatt, and the total vote of the 1908 election, were used to prove that Alaska did not have the 45,000 permanent white residents claimed by the delegate, nor any number sufficient to justify a local legislature.⁶⁷⁵ In reply, Wickersham refused to accept the 1910 figures as a fair count, because they were taken against Alaska protest in December of 1909 when from twenty to twenty-five percent of the white population was outside at the Alaska-Pacific-Yukon Exposition. Hoggatt's newspaper statement was declared to be colored by his Guggenheim leanings; it was suggested that the ex-governor figured that the white population was decreasing because he counted his enemies black.⁶⁷⁶ The vote for 1908 was shown to be small because the prospectors were too busy in

⁶⁷⁴ The 1910 census gave Alaska a population totalling 64,356, an increase over 1900 of 764, or 1.2%. Of the total 56.6% were whites, the natives having decreased by 7,010. The population was distributed, 1st Div., 15,216; 2nd, 12,351; 3rd, 20,078; 4th, 16,711. Fairbanks was the largest town with 3,541, Nome was second with 2,600, and the four principal Panhandle towns had each about 1,500.

⁶⁷⁵ Ex-Governor Hoggatt informed the Senate Committee that none of the Alaska papers had a circulation greater than 200 or 300. Thereupon the press flew to its own defense with the assertion that frontier publications were more likely to see alike, to get close to the public wants, and to be honest, than papers in older communities; *Nome Gold Diggers*, quoted by *Dispatch*, Feb. 12, 1910; *v. also Dispatch*, April 19, 1910.

⁶⁷⁶ *Prospector*, quoted by *Dispatch*, May 21, 1910.

August to come out of the diggings and vote. In any case, said he, the official figures sufficed to give Alaska a population rate comparing favorably with that of other territories when given legislatures, and greater than the constituency of many a congressman.⁶⁷⁷

As to character, only the more rancorous opponents of home rule were ready to libel Alaskans, and when they did so, they confined their statements to the liquor, gambling, and social evil element, which they said elected Wickersham. This he countered by saying equally uncomplimentary things of his detractors, by listing university graduates among Alaskans, and by inserting in his measure a provision leaving the control of liquor and allied industries with Congress.⁶⁷⁸

As to density, the opposition pointed to the vast uninhabited spaces of Alaska, the concentration of population in the Panhandle and a few mining centers, and migratory life of the pioneer. The defense replied that the bill established no useless governmental machinery for unoccupied parts, that the delegate election showed the population to be equally apportioned among the divisions, that the wandering life of the prospector simply fitted him to understand better the needs of the whole region, and that Congress had many precedents for establishing local legislatures in less dense areas.⁶⁷⁹

As to unity of sentiment, the conservatives found their strongest argument in the well-known factional

⁶⁷⁷ The protest of the delegate against the December census was described in the Senate *Hearings*, Jan. 20, 1910; that of Alaskans at home, in the *Dispatch*, Nov. 16, 23, 26, 1909. The school authorities whose officials took the census, were held responsible for the time chosen and pioneers feared their reports would over emphasize the Indians.

⁶⁷⁸ Territorialists were especially wroth over a *lapsus linguae* of Senator Piles referring to "Alaskan undesirables."

⁶⁷⁹ Comparison was made with fourteen territories and nine states.

fight over the patronage, the railroads, and the location of the capital, and the amount of taxes each section might be called upon to contribute to the political subsistence of the entire territory if organized. Sectionalism had always strongly impressed the congressmen and senators who visited the north and were not able to remain there long enough to grasp the elements of similarity in Alaska psychology. But Wickersham was too clever a politician to be caught without an answer. It consisted of any number of local endorsements for territorial government, telegrams, letters, petitions, resolutions, editorials, and party platforms. Many of these had been won by his arduous labors in rousing public sentiment to the point of articulate support of his bill. He also drew attention to the 1906 and 1908 votes to show that Cale and he received a majority in all Alaska's divisions. Beyond dispute, on the question of a local legislature, there was no lack of unity among the vast majority of Alaskans.⁶⁸⁰

To a unified community demand every representative is by nature sensitive. Therefore it was evident during the second session of the Sixty-first Congress that the Lower House would pass an Alaska legislature bill as soon as its inertia might be overcome. That body was soon to become more mobile than usual, because of the saline injections of Democratic and Pro-

⁶⁸⁰ Quite an aggregation of endorsements was listed at the Senate *Hearing*, Jan. 20, 1910, and they always constituted a prominent part of the delegate's equipment. A particularly cogent statement of the reasons why Alaskans wished home rule was given by the *Skagway Alaskan*, quoted by *Dispatch*, Jan. 15, 1910. The delegate blamed factionalism to the appointed officials. "But one out of eighteen United States district judges in the territory has served out his term of four years and been reappointed and confirmed . . . in twenty-five years, but two each (of marshals and district attorneys) have served out their terms of office;" 61C:2S., *Cong. Rec.*, p. 8342.

gressive members. By some propulsion from Alaska, its progress toward the desired goal might be accelerated.

The Election of 1910

The first matter of speculation was the election of 1910. Would it hasten or retard the home rule movement? What would be the reaction of Alaskans to their delegate's record in Congress? The contest was a two and one-half cornered affair, with a "regular" Republican, Edward S. Orr, fighting the insurgent, Wickersham, while an unimportant laborite, by the name of O'Connor sparred with either when chance offered. The Democrats made no attempt to put up a nominee after one of them, J. F. A. Strong (who became governor in 1913) refused to run against Wickersham.

Mr. Orr was nominated by a selected group of Shackleford Republicans, derisively styled the "Hogitalls," who believed that territorial government should wait upon the settlement of economic questions. Their standard bearer was carefully chosen, as one who was personally honest and inoffensive, with no questionable political history behind him.⁶⁸¹ Also, prior to his nomination, he had been known to be sympathetic toward home rule. On the Guggenheim issue, the platform furnished him was not specific, a fact which encouraged his opponents to declare that his campaign funds must therefore have their source in the ubiquitous syndicate. Mr. Wickersham first announced his candidacy through the Democratic and

⁶⁸¹ The election is described in the territorial press of June, July and August of 1910 and at a hearing before the H. Com. on Jud., July 13, 1911. Orr had previously preferred the peace of stage driving and mail contracts to the perversities of politics.

anti-administration papers of the territory and later was endorsed by an insurgent convention of Republicans led by ex-Marshall Sutherland. They denounced the Beveridge bill, and demanded an elective legislature; to them the Guggenheim "taint" emanating from the "rathole" caucuses of the administration faction was a stench only to be exterminated by continued vigorous applications of Wickershamism.⁶⁸² The regulars, on the other hand, thought this but another case of a kettle called black by a pot that was blacker, inasmuch as Wickersham had been pressing a railroad bill for a copper concern which was a rival of the "Guggenheims," the Amalgamated Copper Company.⁶⁸³

In 1910 the political collation set before the voters rivalled all previous attempts at variety, spice, and appeal, because it was cooked by the territorial newspapers⁶⁸⁴ from recipes of the hearings in Washington. It was soon evident that a "Sixty Day No-Knock Campaign," instituted at Juneau, would not live out its time. A particularly luscious offering consisted of two letters to the managing director of the Alaska Syndicate, Stephen Birch, and one telegram to Jarvis, sent

⁶⁸² In the sixth plank of their platform they declared "We denounce the attempt of the Alaska Syndicate to procure a monopoly of Alaska coal lands through fraud in their location; we denounce their criminal action in stuffing the ballot box in the last election; in corrupting our courts, bribing witnesses and officials, shooting unarmed and innocent laboring men engaged in building railroads in Alaska for other companies and wilfully destroying private property for the advancement of their private ends. We call upon the Department of Justice and its officials to investigate these matters and to prosecute all persons guilty of crime in connection therewith."

⁶⁸³ This was the so-called "Hubbard" railroad, the Alaska Great Northern, 61C:2S., H. R. 22557.

⁶⁸⁴ Newspapers were established for the duration of the campaign. Prominent among them was a Fairbanks paper supporting Wickersham, which the regulars claimed was established on Hubbard cash. The newspapers' opposition to him was greater than in 1908 and his friends ascribed it to bribery.

by Wickersham after he left the bench and before he became delegate. They had to do with his employment as counsel.⁶⁸⁵ This mess of pottage his enemies loved to feast upon, as a most delicious piece of perfidy, typical of the pretended enemy of the "Guggies."⁶⁸⁶ His friends insisted that the dish was flat and tasteless, that in fact there was nothing in it, but proof of consistency: said they, he sought employment as an honest private citizen, but he fights them as an honest public official.

Another savory concoction was made from the choicest bits of the Beveridge bill hearings, full of menaces, contradictions, and strong implications, on which the Shackleford Republicans gormandized. It demonstrated, said they, that the delegate had made himself worse than useless by creating animosities. The insurgents analyzed the dish by other of its effects, and found it good because it had killed the Beveridge bill and instilled life into laws for lien and mine inspection.

Each side sought endorsement from men of high degree. The regulars told the insurgents that Governor Clark had referred to them as "roughnecks," whereat the term became a slogan of the faction, emblazoned on a button attached to a diminutive blue shirt with a match-scratch collar, for the adornment of the faithful — insignia of noble insurgency! For the first time in Alaska's history, two cabinet officers honored her with

⁶⁸⁵ Instead of Wickersham they employed a son of Senator Spooner of Wis., and a Mr. W. H. Bogle. The letters were dated from Fairbanks on Oct. 3, 1907, and April 8, 1908; the telegram, June 23, 1909. For copies of same and information relative thereto *v. Alaska Record*, July 5, and Aug. 6, 1910; *Dispatch*, July 7, 1910; S. Com. on Terr. *Hearing*, Feb. 19, 1910; H. Com. on Judiciary, *Hearing*, July 31, 1911.

⁶⁸⁶ The abbreviation was an invention of the Seattle press, which divided on the issue, the *P. I.* suffering a disruption of its staff in 1910, because of an editorial entitled "Wick's Bug on the Guggies," published February 4.

a visit, Secretary of Commerce Nagel, and Attorney-General Wickersham. They came primarily with the object of investigating fisheries and seals; but they were personal emissaries of the President, especially besought to give all Alaskans a patient hearing. This they doubtless tried to do, but were subjected to political exploitation by both factions. The regulars took pleasure in the thought that the honorable guests were opposed to territorial government; the insurgents claimed that the visit had for its object the defeat of Wickersham, and spread stories of the unwillingness of the gentlemen to listen to Alaska complaints. Into this scheme of administration interference Taft's letter to Clark and the dismissal of Sutherland and Boyce were made to dove-tail very nicely. The highest endorsement which the territorialists received came from Bishop Rowe, head of the Episcopal missionary establishment in Alaska and a gentleman of undisputed worthiness.

Neither group lacked the confidence to predict their own overwhelming victory. One bold blasphemer declared that if Wickersham ran for the title of Jesus Christ, the adoring Alaskans would elect him to it; another that the "Guggs" chose Orr, a home rule advocate, because only a man outside of their own ranks, a man of virtue, could attempt to cast down the delegate from his high place in public estimation.

At this election it would be impossible to state the exact number of votes cast, because fraud was practiced, especially at Cordova in the third division, Fairbanks in the fourth, and Treadwell in the first. In fact to this day the governor's office lacks strictly official returns, and as for the newspaper accounts, no two of them can quite agree. Consequently, such returns

as are to be had, are classified as "regular vote" and "irregular vote," the latter one-third as great as the former. The only reason why the contest was not brought before the House was that Wickersham's total vote, of both kinds, showed that nearly one-half the electors had chosen him.⁶⁸⁷ The result was that the delegate election of 1910 was in the nature of a congressional accelerator; the northerners, after expending the requisite amount of energy in political fulminations, endorsed the home rule bill by returning its author to Congress.

⁶⁸⁷ Counting both regular and irregular votes, the total was nearly 9,300, of which the approximate amounts were Wickersham 4,500, Orr 3,200, and O'Connor 1,400. Of the irregular vote, Wickersham had about 1,200, Orr 750, and O'Connor 350.

Conservation, the Football of Politics

The Cordova Coal Party

It was not long after the 1910 campaign that the impatience over the delay in opening the coal lands found vent in more clamorous demands for home rule. The outcome of the congressional elections had been interpreted by Alaskans as favorable to their cause, particularly that in Indiana, where Senator Beveridge, conservationist and progressive, had suffered defeat in spite of Roosevelt's speeches in his behalf. Therefore Alaskans, and doubtless some private promoters of development schemes from the states, hoped that the third session of the Sixty-first Congress would witness the granting of territorial government and the reopening of the coal lands to private entry under the provisions of the laws of 1904 and 1908. The tumult over conservation made this double outcome impossible; for many progressive Americans agreed with Roosevelt, who told an Indiana audience that the persons who were "filling the air with complaints that we must not interfere with local self-government in Alaska" were not Alaskans, but New Yorkers and Coloradans, who wished "to develop Alaska by exploiting the coal fields purely in their own interest."⁶⁸⁸ So it happened that

⁶⁸⁸ Speech of Oct. 13, 1910, reported in the *Indianapolis News* of Oct. 14 and the *Dispatch* of Oct. 24. To Beveridge one Alaskan expressed his high glee over his defeat in a telegram, enthusiastic if immoderate: "An enemy

in so far as the conservatives of the Taft administration remained consistently obdurate toward home rule, their policy was not displeasing to some of the progressive conservationists of the Republican party. Meanwhile, as to coal, the debate in Congress over the Mondell⁶⁸⁹ bill was indicating that a leasing plan was the only kind with a chance of passing. Public opinion was practically ready to see the leasing experiment tried, but delay was needed to overcome congressional timidity and to persuade the coal interests that it would have to be leasing or nothing. Alaskans reluctantly became convinced of this fact and approached a state of mind in which they would have welcomed almost any arrangement whatever, for providing fuel and encouraging railroad building.⁶⁹⁰ But while they were arriving at this stage of compromise on the coal question they adopted various means of publishing to the world what they declared to be their piteous condition under existing economic and political circumstances. Throughout the resulting demonstrations, home rule was carried along on the crest of the wave of coal land dissatisfaction.

In her rôle as "prize package of the corporations,"⁶⁹¹ Alaska had contracted a severe attack of "muckrakeitis," a malady which caused eruptions on the surface of the body politic. President Taft could not check the disease. His first prescription, that for a commission

of Republican institutions, a man who malignantly hates a Democratic form of government, who sought to establish an Oriental despotism in Alaska—lies tonight in the political morgue, as cold and stiff as the marble slab that supports his attenuated form, Alaskans rejoice. (Signed) George Baldwin;" *Seattle Times*, Nov. 9; *Dispatch*, Nov. 18, 1910.

⁶⁸⁹ *V. supra*, p. 345.

⁶⁹⁰ 62C:2S., H. Com. on Terr., *Hearing*, Feb. 8, 1912.

⁶⁹¹ *Fairbanks News Miner*, Dec. 9, 1911.

form of government written December 7, 1909,⁶⁹² the patient could not stomach, and he was loath to give a tastier one, such as home rule. As he said in his second annual message, he still thought Alaska lacked the "proper foundation" for a popular government.⁶⁹³ The pioneers, on the other hand, could make nothing of his diagnosis, except that it must be based upon ignorance of the true nature of Alaska's population. On that point they tried to enlighten Taft with the information that their towns had more college graduates, per capita wealth, and bathrooms, and less illiteracy, crime, and poverty than places of equal size in the President's home state of Ohio.⁶⁹⁴ But such arguments failed to convince the executive; so Alaskans tried to hasten their cure by using divers strong remedies concocted out of their own fertile imaginations. Some of the northerners believed that the conservationists had honest intentions toward Alaska, hoping to conserve "its great resources for the benefit and use of its *bona fide* residents."⁶⁹⁵ Others believed that said conservationists were a "group of unscrupulous politicians who were keeping (Alaska) back for their personal gain."⁶⁹⁶ In either case the fact remained that development had been seriously retarded and that Alaska was for the first time a national political issue, susceptible of wide advertisement.

For example, news of the eruption of one of the

⁶⁹² *V. supra*, pp. 351 ff.

⁶⁹³ Message of December 6, 1910, by this time Taft had decided that government aid to transportation was unnecessary as long as there was prospect of a proper opening of the coal lands.

⁶⁹⁴ *Ketchikan Miner*, quoted by *Dispatch*, Jan. 13, 1911. It was further explained that Alaskans went about more than Ohioans because they had more money with which to go visiting.

⁶⁹⁵ *Dispatch*, Oct. 25, 1910.

⁶⁹⁶ *Fairbanks News Miner*, Dec. 9, 1911.

Alaska Peninsula peaks, Mt. Katmai, afforded opportunity for general and political comment, facetious and suggestive if unimportant:⁶⁹⁷

The news from Alaska is to be viewed with extreme suspicion. It seems that the floor of the sea is slowly rising and that fishing beds of unusual wealth are likely to result. The local geologists—bribed, of course—say that this change is due to volcanic action, but it seems much more probable that it is the work of the Guggenheims. It is the sort of thing they would do. We are confirmed in our suspicion by the additional news that one of the results of the change in the level of the sea floor will be to close Bering Straits, and this will make it quite easy for an armed American force to enter Russia and besiege St. Petersburg. Evidently more imperialism, and a sort of plot between Mr. Taft and the Guggenheims. These suspicions may be unjust, but we shall continue to hold them until we receive a reassuring message from Mr. Pinchot, who understands such matters.

In February of 1911 a few propagandists in the vicinity of Valdez, Seward, and Fairbanks, then the chief disaffected areas of Alaska, tried to start mass meetings and resolutions purporting to demand that Congress divorce Alaska from the United States so that she might secure annexation to Canada. It was claimed that the change would be advantageous, because the Canadian Pacific and Grand Trunk Railroads were then building westward to bid on Alaska trade, the coal used by the territory was largely coming from Canada, and the policy of that government was friendly to immediate development. This annexation notion which

⁶⁹⁷ *Dispatch*, Aug. 28, 1912, quoting *San Francisco Argonaut*.

was elaborated in greater detail by Robert Stein at the third National Peace Congress held at Baltimore in May,⁶⁹⁸ was taken up by the same class of Alaskans who were then crediting Sulzer and Wickersham with the assertion that continued mistreatment of Alaska would involve dissolution of the union.⁶⁹⁹ But the fact was that the northerners talked about annexation merely to advertise the territory and to command attention and sympathy from the eastern press. For this purpose the proposition was a fairly good one.

The proselyting for home rule flourished throughout this period, and those engaged in it tried every conceivable means of appeal. The legislatures of Washington and Oregon and the commercial associations of those states were instructing their United States senators and representatives to vote for coal opening and home rule; and they were so advising Congress, by means of appropriate resolutions, petitions, and delegations. Richard A. Ballinger, resigning his portfolio to Walter Fisher, an ex-President of the Conservation League, returned, as a maligned hero, to his native heath, in March, 1911, and gave his endorsement to the fiat of the West. Delegate Wickersham, addressing the Commercial and Arctic Clubs of Seattle at about the same time, secured from these bodies approval of his bill for a local legislature. Some of the Arctic Club members formed a non-partisan "Alaska Home Rule Club," to circularize prominent men on behalf of that measure. The general enthusiasm was

⁶⁹⁸ V. Stein (Robert) "Can a Nation be a Gentleman?" Address delivered before the Congress, May 4, 1911; v. also 63C:1S., *H. R. Res.*, 83 and 146, looking toward the sale or transfer of southeast Alaska to Canada.

⁶⁹⁹ Alaskans had great disgust for such rumors as one to the effect that Sulzer, in a Ketchikan address, had orated upon "ominous rumblings of revolution" and "gun and rifle clubs formed with a sinister purpose," *Dispatch*, August 28, 1911.

given point and purpose by the formation and functioning of a "Joint Alaska Committee." This was composed of representatives of the chief commercial groups interested in the trade of the northwest; it set up a permanent organization to act upon all Alaska matters; it endorsed coal opening and home rule and urged them upon Congress.⁷⁰⁰ In this manner the anti-conservationists adopted and utilized the issue of home rule.

By the time that the Sixty-second Congress, which Taft had called to consider reciprocity with Canada, came together in its first session, April 4, 1911, many of its leaders had been approached regarding Alaska. Speaker Clark had received from A. J. Daly, the chairman of the recently revived Democratic Committee, a home rule petition, together with a flattering invitation to visit the north; Mr. Daly had assured him that "the people of Alaska, after having endured twelve years of the doctrines of Alexander Hamilton, as administered to them by the Republican Party," were looking "to the party of Jefferson as the one to champion their cause of local self-government," and especially to Clark, whom they had "come to consider as one of the greatest exponents of the principles of Democracy."⁷⁰¹ The new chairmen of the Senate and House Committees on Territories, W. A. Smith of Michigan, a Republican,⁷⁰² and H. D. Flood of Virginia, a Dem-

⁷⁰⁰ These developments were partly due to the Seattle speeches of the delegate made during the last few days of March, wherein the factor of Canadian trade competition was stressed.

⁷⁰¹ *Dispatch*, April 18, 1911.

⁷⁰² In June Senator Smith put through a resolution, 62C:1S., S. R. 52, directing his committee to investigate territorial government for Alaska, and in November he told a Los Angeles audience that "We will settle the question of government in Alaska right. And there will be no selfish motives, and there will be no greed in it."

ocrat, were reported as favorable to home rule, and the members of their committees were one by one pledged to the same. The President again had been bombarded with invitations to visit the territory, that he might experience a change of heart; and a general congressional junket was prognosticated with considerable hope and some asperity.⁷⁰³ The Northwest Democratic Conference and such leaders as Woodrow Wilson, Oscar Underwood, and W. J. Bryan, were pledged to support the home rule plank of their party. Local northerners, for all these reasons, felt justified in the belief that Alaska was slated to receive a local legislature within the next two – Democratic – years. In this manner the Democrats, for purposes of opposition, adopted the issue of home rule.

During the interim it seemed necessary that some public-spirited community should demonstrate the need for speedy action. The people of Cordova, then a place of about twelve hundred inhabitants, obligingly assumed the duty in question. Choosing a convenient afternoon when the United States officials were conspicuous for their absence, about three hundred Cordovans, led by the President of the Chamber of Commerce, an ex-Mayor, and members of the City Council, assembled for a propaganda party.⁷⁰⁴ At their celebration they amused themselves with burning Pinchot in effigy and dumping some Canadian coal, imported by the Copper River and Northwestern Railroad Company, into the deep waters of the bay.

⁷⁰³ The *Prospector* of Mar. 9, 1911, sagely opined that "no bunch of congressmen" would "turn down a trip at the expense of the government." The third session of the Sixty-first Congress had provided for a joint investigating committee which, had Taft not called the early session, would have visited the north and reported upon it.

⁷⁰⁴ Numerous cablegrams regarding coal recently sent from that locality to the administration, had met with little response.

This "Cordova Coal Party" of May 3, 1911, was a huge success. The historical allusion was lost on no one between Seattle and Boston. The governor of New Jersey came out with the assertion that nothing Alaskans had ever done had "impressed Easterners as did the Cordova incident."⁷⁰⁵ Secretary of the Interior Fisher telegraphed Governor Clark, in Connecticut at the time, to the effect that lawlessness should be suppressed, but assured him that he personally favored speedy coal development. This message inclined the Cordovans to the belief that their Thursday afternoon had been well-spent. Clark merely admonished Alaskans to be patient. None of the participants, prominent or otherwise, was apprehended.⁷⁰⁶

Taft Administration Under Fire

That faction of the Progressives which feared the effect of home rule on conservation was inclined to interpret the dumping of the Guggenheim coal as an attempt by the residents of a Guggenheim town to stampede the government into permitting the Guggenheims to grab the public coal lands.⁷⁰⁷ Similar interpretations were made of the huge signs painted on the wharves at Cordova, Valdez, and Seward: "Let us mine our own coal." But there were additional rea-

⁷⁰⁵ *Valdez Miner*, May 21, 1911.

⁷⁰⁶ As an aftermath, the people of the neighboring town of Katalla assembled the next day, publicly burned a copy of the proclamation withdrawing the coal lands from entry, burned Mr. Pinchot again, and placarded the town in appropriate fashion—"Pinchot my Policy; No patents to coal lands; All timber in forest reserves; Bottle up Alaska; Put Alaska coal in forest reserve; Save Alaska for all time to come." Also boulders were placed upon the tracks of the Copper River and N. W. R. R. to prevent the removal of the foreign coal from the dock to a safer place, and a sporadic scheme for mining domestic coal was launched, only to spend itself in enthusiastic fulminations against the law.

⁷⁰⁷ *Cordova Alaskan*, Sept. 4, 1911.

sons for the public interest in the coal problem as affecting Alaska, in disclosures made at the first session of the Sixty-second Congress. During those memorable days between April 4 and August 22, 1911, there was a remarkable access of curiosity, on the part of many senators and representatives, regarding the administration's policy toward Alaska. They expressed their curiosity in numerous resolutions of inquiry, with special reference to certain scandals: the withdrawal of lands and their reopening to public entry; water-front rights for railroads; government contracts with private companies for supplying coal to Forts Liscum and Davis; bribery of government witnesses by the Alaska Syndicate; failure of the Attorney-General's office to prosecute for offenses against United States law committed in the territory; and the delay in granting territorial government.

The gentlemen who developed this inquisitive turn of mind were not without a community of interest, as being either Progressive or Democratic in their leanings. Prominent among them was LaFollette, the leader of one faction of the Progressives, who had an abiding interest in the problem of government ownership and operation of railroads and whose attention was particularly directed by Wickersham to the operating methods of the Alaska Syndicate.⁷⁰⁸ Others who now gave much consideration to Alaska were the Progressive junior and senior senators from Washington, Miles Poindexter and Wesley Jones;⁷⁰⁹ Representatives W. A. Humphreys from the same state;⁷¹⁰ the Democratic Representative J. M. Graham of Illinois, who was chairman of the House Committee on Expen-

⁷⁰⁸ 62C:1S., *S. Res. 23 and 144, Cong. Rec.*, pp. 4262-4302.

⁷⁰⁹ *S. J. Res. 53, S. C. Res. 9, S. Doc. 77, S. Res. 84.*

⁷¹⁰ *H. J. Res. 157, H. Res. 271, Cong. Rec.*, pp. 3966-3981.

ditures in the Interior Department, J. M. Cox of Ohio, and Morris Sheppard of Texas;⁷¹¹ and most active of all, the delegate from the north, James Wickersham.⁷¹²

In tangible immediate results the resolutions accomplished little but the hearings held upon them were sufficiently acrimonious to strengthen insurgency and to bring into prominence the cause of home rule. Lack of space forbids more than a bare outline of the principal facts brought out, as affecting the prospects for a local legislature. Among other things, it was demonstrated that the United States government had been defrauded of \$50,000 by collusion between the John J. Sesson Company and the Northwestern Commercial Company, in the matter of coal contracts.⁷¹³ This scandal assumed an importance out of all proportion to the amount of money lost, because it involved the Alaska Syndicate and a gentleman until recently an officer of it, Captain D. H. Jarvis, who committed suicide just at this juncture.⁷¹⁴ In addition, the same corporation and official were charged with an interest in the bribery of the Grand Jury for the Hasey case and in the subsequent dismissal of Sutherland and Boyce just when they were about to prosecute for the said bribery. It was also demonstrated that some of the excessive ir-

⁷¹¹ *H. Res. 290, 237, 18.*

⁷¹² *H. Res. 213, 217, 218. H. Repts. 56 and 145, the latter included in Cong. Rec., pp. 3908-3909.*

⁷¹³ *V. H. Res. 217, Hearings, H. Com. on Judiciary, July 13, 24 and 31, 1911.* The resolution called upon the Attorney-General for data regarding an affidavit sworn to on May 23, 1910, by a man named H. J. Douglas.

⁷¹⁴ Because of the high place Jarvis previously held in public esteem, his death was a distinct shock to the northwest. His farewell message, "Tired and worn out," was no adequate explanation, and for lack of a better one the public concluded that he had been hounded to death by the discharged Syndicate auditor, H. J. Douglas, whose affidavits had been submitted to the Secretary of War and Attorney-General by Wickersham. The suicide strengthened the position of the delegate's faction; *v. Northwestern papers of June 24, 1911, and ff.*

regularities in the delegate elections of 1908 and 1910 had been due to the machinations of small politicians who were friendly to the Syndicate and who wished to defeat Wickersham. The light of publicity was glaring enough to show up patronage abuses, too, especially the long-standing and vicious system of grafting on the board of prisoners at the territorial jails. Finally, it was shown that by a remarkable series of coincidences the alleged perpetrators of these various offenses had each and every one escaped serious investigation at the hands of the federal government.

Therefore Delegate Wickersham was emboldened before the House Committee on the Judiciary, to bring against Attorney-General Wickersham the charge "that purposely he did shield and defend Alaska Syndicate criminals from punishment for crimes against the government"⁷¹⁵ by allowing the statute of limitations to run on those crimes. The Attorney-General denied the charge and insisted upon proof, himself producing all the data technically demanded by the delegate's original resolution of inquiry. When the latter submitted his specifications, the committee voted that it found therein a "looseness of statement" and a habit of "assumption" which weakened the charges.⁷¹⁶ The fact was that neither the Democratic committee nor the Republican Attorney-General was sufficiently acquainted with the intricacies of Alaskan affairs to appreciate the accumulation of circumstances which convinced the delegate of the correctness of his own interpretation of the evidence. Therefore they could not go so far as he in their conclusions. They arrived at a result of probability of guilt on the part of certain lesser personages, which guilt could not be proved

⁷¹⁵ Hearing of July 13, 1911.

⁷¹⁶ Hearing of July 31, 1911.

without difficulty; but they did not find the Attorney-General himself untrustworthy. At any rate the stir over the charges effectually advertised Alaska problems, because talk inside and outside the committee widened into a discussion of the deplorable maladministration which had always characterized the carpetbag government of distant regions.⁷¹⁷

The "Dick to Dick" Letter. Opera Bouffé

Simultaneously with this interesting, if not enlightening, controversy, the inquisitive fingers of the nation's legislators began to meddle with the Chugach National Forest Reserve, and stirred up such a hornet's nest that the congressmen, as well as the public, were badly "stung." President Taft had restored to entry, October 28, 1910, 12,800 acres of the Chugach Forest, that a portion of the same, situated on Controller Bay, might be utilized by the Controller Railway and Navigation Company for terminal purposes. This action was taken after full cabinet discussion, with the understanding that the acreage in question, having no timber on it, was "not chiefly valuable for national forest purposes," ought to be used to encourage private capital to build a railroad, could not under the law be monopolized by any one company, and would not come under the control of the Alaska Syndicate. The President was aware, when issuing the order, that it would lead to an "attack" and the "questioning" of his motives.⁷¹⁸

⁷¹⁷ For the history of the judgeships and marshalships in Alaska, *v.* Hearing of July 24, 1911. It was a debatable question among some Alaskans as to which was more valuable for their purposes—congressional legislation or newspaper publicity; *v.* *Fairbanks Times*, quoted in *Valdez Miner*, April 21, 1911.

⁷¹⁸ An official account of the withdrawal circumstances is given in 62C:1S., *Cong. Rec.*, pp. 3204-3209, *v.* also *S. Doc.* 77, pts. 1 and 2 (6089, 6090).

The order was soon followed by a special act of Congress encouraging the company in question to proceed with its development.⁷¹⁹

This procedure was published abroad and except for a LaFollette resolution of inquiry agreed to by the Senate,⁷²⁰ occasioned no particular comment until June. Then the *Philadelphia North-American* copied a story from the *Portland (Oregon) Journal* to the effect that the representative of the Controller Bay Company, Richard Ryan, had obtained the withdrawal order from the President through his brother Charles P. Taft, who was supposed to be interested in the company. Offered as proof, was a postscript to a letter said to have been written to Ballinger by Ryan, June 13, 1910, and to have been copied from the files of the Department of the Interior by a private magazine writer, Miss Mabel Abbott,⁷²¹ after LaFollette introduced his resolution. The letter took its name from the salutation and ending of the alleged postscript:

Dear Dick: I went to see the President the other day. He asked me who it was I represented. I told him, according to our agreement, that I represented myself. But this didn't seem to satisfy him. So I sent for Charlie Taft and asked him to tell his brother, the President, who it was I really repre-

⁷¹⁹ Act of Mar. 4, 1911 (36 Stat. L., 1360).

⁷²⁰ S. Res. 23, April 20, 1911, asking for information regarding locations on the restored land.

⁷²¹ By means of a letter of introduction from Norman Hapgood, then editor of *Colliers*, Miss Abbott had secured permission, against Fisher's best judgment, to go over the files of the Controller Bay affair, in the presence of Ashmun Brown, then secretary to Fisher. She was not allowed to make copies of the files, but took copious notes. Later she wrote an article which *Colliers* refused to purchase, for the reason that Fisher, when it was submitted for his approval, declared it was full of false interpretations. There was no postscript in that article. The postscript story was later sold to the newspapers.

sented. The President made no further objection to my claim. Yours, Dick.

This postscript raised the question, had Taft nefariously donated to Ryan an exclusive right to the waterfront on a valuable harbor, a gateway to the coal fields? Was Ryan in league with the Guggenheims to complete their seizures? Naturally, in their inflamed state of imagination, the anti-administration press concluded that poor Alaska was about to be re-abducted.

Congress immediately busied itself with resolutions of investigation. The Senate agreed, June 27, to a Poindexter resolution calling on the President for full information, which was soon forthcoming, and printed as a document, while the gist of it was also published in the *Congressional Record*.⁷²² The House Committee on Expenditures in the Interior Department prepared, under the leadership of Mr. Graham, to investigate vigorously. Mr. Louis Brandeis offered his services gratis as counsel in this important matter. The conservationists and progressives were inclined to make much of it. Information additional to that contained in the communication from the executive was awaited eagerly.

Time passed. The additional information was not forthcoming. The Taft faction charged that their opponents sought by delay to foster a political conspiracy to discredit the government. Representatives Mondell and Mann tried to help Humphrey put through a resolution taking the investigation out of the hands of the Democratic majority. They took to task Chairman Graham for the delay of his committee, but he insisted

⁷²² *S. Res. 84, S. Doc. 77, 2 pts. (6089 and 6090); Cong. Rec., pp. 1659, 1717, 2550, and 3204-9.*

that there were good and sufficient reasons for making haste slowly on a matter of such weight. He admitted, however, that "the committee, in its cold-blooded fashion, was no more anxious to vindicate Miss Abbott than it was to vindicate the administration."⁷²³ It was not at this time generally known that Brandeis had subjected Miss Abbott to a private cross-examination which convinced him that her story was a hoax, and caused him to advise Graham to drop the prosecution if not the persecution. During the ensuing period of confusion and doubt, the administration and everyone mentioned in the letter disowned all knowledge of the postscript and denied all complicity in the Chugach withdrawal. Gradually the preposterous character of the charges caused them to be dropped, but not before they had found a place in history as one of the spectacular fabrications of American political ingenuity.

To a certain extent the flare-up reacted to the discredit of those who considered it seriously. It was only the high temperature of political thought which gave it even a brief credence. But it served to place the administration on the defensive once again. It impelled Taft to send Secretary Fisher, a "true conservationist and practical man," to Alaska as his personal representative.⁷²⁴ Thus the administration might

⁷²³ *Cong. Rec.*, p. 3968. The Humphrey proposal was *H. Res. 271*, debated on Aug. 15, 1911, *v. Cong. Rec.*, pp. 3966-3981. Delegate Wickersham did not long take part in the Dick to Dick agitation, doubtless because he was too well informed as to the true nature of Controller Bay. To what extent he really believed that Ryan was in collusion with the Guggenheims was not known. Miss Abbott was later discredited, from the standpoint of mental stability. The Committee finally reported in December, 62C:2S., *H. Rept. 178* (6129) 2 pts.

⁷²⁴ *Cordova Alaskan*, Aug. 18, 1911. In a special dispatch to the *P. I.*, Aug. 2, 1911, Taft declared: "I can not too strongly emphasize this fact. I am sending Secretary Fisher to Alaska in person because I appreciate the importance, not only to the territory, but to the whole country, of the earliest

be able to quell its detractors by promulgating a constructive plan of legislation for the territory. It impelled Pinchot, in company with Poindexter, to follow the same trail "to get information at first hand"⁷²⁵ regarding the territory of which he had said much and seen nothing. The insurgents hoped so to smite their enemies with the Alaska bone of contention as to come off victors at the next session of Congress and the next engagement at the polls. Meanwhile, after a display of public opinion, the Cunningham claims had been declared illegal.⁷²⁶ Politics had proved a very poor way to settle the land question; solving nothing, it merely placed the names of additional politicians on the coal mortality list. That home rule was inevitable, was increasingly apparent.

The need for a change in Alaska's form of government was patent to both Fisher and Pinchot during their Alaska journeyings. This was partly because the petitions for coal opening with which they were continuously greeted were almost invariably accompanied with pleas for a local legislature. At Juneau colored posters were displayed demanding home rule, and the visitors were further informed that a recent mass meeting had declared it to be the general concen-

possible development of the territory's resources. He is a true conservationist and a practical man and I have great faith that he will make recommendations that will completely solve the problems involved." The same issue attributed to the executive a statement that Delegate Wickersham was the greatest obstacle to Alaska's best interests, an allegation which the opposition press vociferously copied, styling him the "character assassin." In reply his supporters claimed that they were not interested in the personal motives of their delegate, but in the facts regarding Alaskan exploitation which he uncovered.

⁷²⁵ *Cordova Daily Alaskan*, Sept. 6, 1911, statement of Pinchot in an interview at Cordova.

⁷²⁶ According to the *P. I.* of June 27, this was but another instance of "Pilate washing his hands," cf. also *Valdez Miner*, June 27, 1911.

sus of opinion that an elective legislature was the only cure for Alaska's ills. At Valdez, a formal petition presenting "the practically unanimous opinion of local citizenship upon the most vital requirements of Alaska" pleaded at length for a small territorial council with local legislative powers.⁷²⁷

It was claimed that there was considerable contrast between the welcomes extended the two famous visitors,⁷²⁸ and the relative thoroughness of their respective tours of investigation.⁷²⁹ But there was little difference between their protestations of attitude and belief.

⁷²⁷ Details of this petition were given in the *Cordova Alaskan* of Sept. 1, 1911. It disclaimed all desire for county organization, declared the fear of excessive taxation was without foundation, and from its superior height made reference to "the present exultation of the eastern mind through the epidemic of conservation."

⁷²⁸ There was little debate about the friendliness of the populace toward Fisher, but many Alaskans indignantly denied that they were cordial to Pinchot. The press of each faction tried to make out that the other's tour was a "frost" and a farce. At Seward Fisher was greeted with a welcoming delegation, each member of which wore a badge, "Allow us to mine our own coal." At Katalla and Cordova Pinchot was said to be greeted in so hostile a fashion as to feel the advisability of carrying a revolver and traveling with a body guard. He found empty buildings placarded: "Closed - Result of Conservation." He found the newspapers printing notices of funeral orations, to be delivered over the body of Alaska by "the Lord High Executioner, Gifford Pinchot." A favorite poster at Katalla was a song parody, entitled, "Hail to the Chief."

The Conquering hero comes too late,
To view the corpse in its last estate,
With the sword of power, in the hand of greed,
Marvel not at the fatal deed,
On the storm that sweeps on the glacier's heights,
Echoes the moan from the last brave fight.
They have blocked the trails the brave have trod,
And fenced the land from man and God.
All hail the chief of Alaska's desolation.

- *Cordova Alaskan*, Sept. 11 and 20, *Alaska Sourdough*, Oct. 2, 1911.

⁷²⁹ Fisher traveled upon each of the three railroads, and on the Valdez Trail, also inspecting the Controller Bay (Bering River) coal fields. Pinchot aimed to inspect the Matanuska region, but found the weather too inclement, although Poindexter went on into it.

Fisher came with an "open mind" and Pinchot with a willingness to change his opinion if "shown to be wrong." Fisher assured Alaskans that patents would be given *bona fide* claimants, and Pinchot told them that land frauds, rather than conservation, were to blame for bottling up Alaska. Each had such an arduous encounter with bad weather on Controller Bay that he concluded that its windswept shores were decreed by act of God to be unfit for the purposes of either transportation or politics. Both inclined toward leasing of coal lands and government supervision of railroads. Home rule was endorsed in a general way.⁷³⁰

Most Alaskans conceded that the Secretary of the Interior had honest intentions; and they were even willing to be grateful to the ex-Chief Forester, provided he would render the great public service of describing the conditions under which he would be willing to invest his own money in Alaska. But that information was not forthcoming, and the more radical northerners feared lest their "fine crop of investigators"⁷³¹ might do them no good, asserting that they stayed only long enough to place themselves in the class of those who claimed to dispense accurate information on Alaska, and just short enough to go away ignorant. In truth Alaskans could not be blamed for their pessimism, inasmuch as the legitimate investigators, Fisher and Pinchot, had their footsteps shadowed by a rapacious horde of muckrakers, against whom it was thought necessary at Katalla to organize a "Publicity League" for purposes of exposure.⁷³² Nevertheless, Alaskans found new ground for cheer.

⁷³⁰ Comment upon Fisher's trip may be found in the territorial press of the last two weeks of August and that of Pinchot a fortnight later.

⁷³¹ *Cordova Alaskan*, August 31, 1911.

⁷³² *Ibid.*, Sept. 30, 1911. Alaskans believed that their treatment at the

When the Secretary of the Interior was banquetted at Seattle upon his return from his trip,⁷³³ he had a suggestion of hope for Alaskans; and he maintained the same note of cheer all the way east to Washington and to his rendezvous with the President. They met at the Fourteenth Annual Session of the American Mining Congress.⁷³⁴ There the President endorsed the views of the Secretary as his own, and the Secretary set forth their joint judgment, in brief as follows: The permanent residents of Alaska had been found to be a "remarkably large and fine body of people" with a "substantial percentage of vigorous, law-abiding, law-respecting men and women of the highest type of American citizenship;" they were "entitled to a territorial government better adapted to their peculiar local conditions and needs;" their coal was less likely to dominate the Pacific coast market than had been thought when the fields were first discovered; pending claims would be settled as soon as possible and Alaska coal lands should be developed by the leasing system; her transportation lines were not to be permitted to be interested in the commodities they transported; if the government should turn to railroad building it should work from the beginnings of the Alaska Central in toward the Yukon in order to furnish the interior with a trunk line road; and finally among Alaska people, "back of their naturally great and justifiable desire for

hands of the *Portland Journal* justified them in detesting John E. Lathrop, its Washington correspondent and writer for Pinchot's mouthpiece, the *Newark News*. William F. Smythe was abhorred for similar reasons. Robert Heinl, correspondent for *Leslie's Weekly*, and a friend of Fisher, was better liked. Of *Leslie's Weekly* the *Dispatch*, Mar. 9, 1911, said, "It is about the first standard publication to treat Alaska fairly."

⁷³³ Sept. 8, 1911.

⁷³⁴ Chicago, October 24-28, 1911, v. Proceedings, 362-397, for addresses of Taft and Fisher.

immediate action," had been found a pleasing "fair-mindedness and public spirit."

For such an official endorsement there was much reason to be thankful, and amid the general stir of hopeful approbation, new plans were formulated for cementing an entente cordiale among Alaska factions. To New Yorkers, Alaska presented herself favorably through the medium of an exhibit at the American Lands and Irrigation Exposition at Madison Square.⁷³⁵ Among Seattleites, there was formed for the good of legislation, a Square Deal League, which later led to the establishment of the Alaska Bureau of the Seattle Chamber of Commerce, a group which has always since influenced Alaska legislation.⁷³⁶ In Chicago, at the National Irrigation Congress, Pinchot made still another alignment.⁷³⁷ And above all at Washington, among congressmen, concerted action on Alaska's government rapidly approached the bounds of possibility.

⁷³⁵ Nov. 3-12, 1911. According to the *Cordova Alaskan*, the object of the exhibit was to inform people that Alaska was more than "a little reduced scale plot in the southwest part of the map of the United States" and its inhabitants were not "natives who live on oil and blubber."

⁷³⁶ Seattle interference was frequently resented, as when the choleric Mayor of Juneau, Emery Valentine, wired the Square Deal League, which had asked for instructions, "The people of Alaska earnestly request Seattle to attend to their own business and keep their hands off Alaska affairs. We have elected a delegate to speak for us;" *Dispatch*, Nov. 11, 1911. Valentine, known as "Alaska's Peter Stuyvesant" claimed that the real object of the Alaska Bureau of the Seattle Chamber of Commerce was to defeat territorial government; *Ibid.*, Feb. 2, 1912.

⁷³⁷ Dec. 9, 1911.

A Legislature at Last

Hearings on Home Rule

While the Judiciary Committees of the Sixty-second Congress had been laboring under the excitement of the Wickersham charges and the Controller Bay withdrawals, the Committees on Territories had again tackled the problem of home rule for Alaska. Many congressmen had been pledged to work for it. The Republican standpatters were not in a position to oppose it and few Progressives had inclination to do so. The Democrats had a campaign promise of many years standing to redeem. The administration plan for government by commission had failed of enactment miserably. Most of the opposition to an elected legislature was quiescent, and what remained had little weight. Consequently, it had been a simple matter for the chairman of the Senate Committee on Territories to obtain permission for his committee to "inquire" regarding territorial government, and that group was quickly provided, by Wickersham, working through Senator Jones, with an experimental bill and with the data to insure its passage.⁷³⁸ The House Committee already had before it a duplicate bill, and hearings were soon under way before both groups.⁷³⁹

These hearings were rather cursory, since it was generally conceded that some sort of home rule bill would

⁷³⁸ 62C:1S., S. 1647, introduced April 27, 1911.

⁷³⁹ H. R. 38, introduced April 4, 1911; *Hearings*, S. Com. on Terr. May 23, 1911. H. Com. on Terr., May 17, 20, 24, 25, 1911.

be passed anyway and the subject lacked appeal, as compared with water front grabs, ballot-stuffing, and bribery. Sufficient interest was exhibited, however, to show that the longstanding objections still persisted, concerning the number and quality of Alaska's population, the strength of the demand for a legislature, its probable cost and its relation to corporate interests. To answer the first objection Jones and Wickersham needed to do little more than display photographs and cite census figures and comparative statistics⁷⁴⁰ with interpretations complimentary to Alaska. For this they used once more the materials compiled for the Senate hearings on the Beveridge bill. In addition they played upon the jingo fear of American migration to Canada and of loss to the United States of the north Pacific Coast trade.

Concerning the universality of the demand for a legislature, proof abounded, in the evidence of newspaper editorials, platforms of delegate candidates, Canadian comparisons of a nature uncomplimentary to the United States, and the propaganda of western commercial associations. For example, Senator Jones quoted to the Senate Committee a *Post-Intelligencer* editorial of April 18, declaring that "the wrongs of the thirteen original colonies, which led to the Revolutionary War, were petty, indeed, beside the wrongs of the people of Alaska." At the hearing of May 24, the delegate confronted the House Committee with recent newspaper clippings to the number of two dozen, to prove the overwhelming character of the public desire; and yet his reserve stock was scarcely touched, as the press of the north was echoing and re-echoing the arguments

⁷⁴⁰ The trade statistics and the bulletins of the Geological Survey were immensely helpful.

made in the hearings.⁷⁴¹ The elections of 1908 and 1910 also figured prominently in the discussions, with Wickersham stressing the Taft-Clark letter of June 24, 1910, as evidence of his ability to win on a home rule ticket in spite of the opposition of the executive. In this connection it is important to note that President Taft and Delegate Wickersham had never conferred on Alaska. Her history might have been different if they had.⁷⁴²

A more serious objection was that of expense. Alaskans had abandoned their altruistic offers to pay the bills of a local legislature out of their own pockets; and congressmen had no thought of breaking with precedent by asking that they be renewed. But the business instincts of the legislators bade them pause. How much did a territorial assembly cost and how often? For the reassurance of the committees on this point Jones and Wickersham were prepared with comparative statistics, showing just how inexpensive a legislature might be.⁷⁴³ To these figures the congressional mind proved receptive, especially when there were added to them data on Alaska's stupendous resources and trade values.

Nevertheless the main question of debate was the old,

⁷⁴¹ The counter campaign of publicity by the Syndicate, as promulgated in the *Outlook*, *Literary Digest*, and *Saturday Evening Post*, was described from the point of view of the Delegate at the H. Hearings, May 25, 1911.

⁷⁴² At the hearing of May 24, 1911, the delegate said he had never conferred with the President. The Clark letter in full was inserted in the hearing of May 25, at which Wickersham asserted that during the last campaign it had been "printed and circulated through Alaska like an advertisement for a big fire sale." The letter did not mention Wickersham by name, but deplored the filing of "flimsy and outrageous charges."

⁷⁴³ The *Valdez Miner*, Mar. 26, 1912, suggested that "the little bit of silver the national government will spend on a territorial legislature could easily be saved by lopping off a few useless bureaucrats and investigating committees that now pester the territory."

old issue between home rule and big business. Their lobby was asking: "Would big business be required to pay the costs of home rule, and to suffer under the jurisdiction of the local legislature?" The Wickersham measure, as presented to the Sixty-second Congress, was carefully drawn to quiet their concern. Expenditures were to be limited to current income, territorial taxes to one percent of the assessed valuation of property, and municipal taxes to two. Non-residents were to be taxed no higher than residents, county organization was prohibited, and indebtedness was carefully hedged about to preclude extravagance. These restrictions were explained as due to the fact that it was not a question of what was right for the people to have, but of what the particular interests "will let Congress pass for us, because they are in a position to defeat the bill if they determine to do so."

Unflattering as was this elucidation, no one denied its truth; but many of the congressmen protested that their concern was quite to the contrary. "Would big business pocket the legislature?" The bill was drawn to meet this type of objection also. It contained many limitations which Wickersham said "ought not to go in," limitations which went "far beyond those which have been incorporated in other organic laws." Nevertheless the delegate had inserted them: he was convinced that "Congress, in the present suspicious condition of the public mind, would be very slow to do for this territory what [had] heretofore been done for other territories." Unlike the committeemen, Wickersham believed that Alaska was better able to cope with syndicates than was Congress; but he diplomatically phrased the question as one of "whether our people ought not to be organized to assist Congress in protect-

ing the interests of the territory" and in putting a stop to the "scandals resulting from political mistakes in Washington?" He personified the legislature as a "Policeman" which Congress should assign to the Alaska beat in order to guard "the great resources of that Territory" from theft at "the hands of a foreign monopoly."

To the minds of some democratic congressmen, the policeman would not count for much if deprived of his club, blackjack, gun, and whistle; and so limited an assembly could mean neither home rule for Alaskans nor respite from petty legislation by Congress. To counter this contention, the delegate emphasized the need for subsidiary mining legislation to prevent the wholesale acquisition of land. He listed some of the mining measures to which the House had given but the Senate had refused favorable consideration, and pictured the improvement in the condition of the common man of Alaska if his needs could be met promptly and sympathetically by a local lawmaking body — one filling the functional gap between Alaskans and Congress. A territorial legislature, said he, would be a first step in the prevention of Alaska's further stagnation and absorption by the big interests.

In addition to all these limitations there were others, reminiscent of Alaska's earlier history and that of her delegate. No gambling or liquor laws were to be passed except by Congress; this, because Wickersham's enemies had claimed he represented those interests and that they would control the legislature. No money was to be paid from territorial funds for religious education; this harked back to the days of the Jackson-Brady hierarchy. No stock could be purchased in corporations with territorial funds; this in recollection of

the Reynolds-Brady Development Company. Some of these limitations were not unusual in organic acts, although the congressmen were less well informed on that point than they might have been. At all events it was necessary gradually, and painfully, to instruct the gentlemen of the committees and their fellow congressmen in the histories of territories, past and present, and in the peculiar inhibitions of Alaska's politics.⁷⁴⁴

This Alaska measure was in special degree a sufferer from the curse of compromise. There were remaining in the original bill, with all its modifications, a few places yet capable of further modifying, and it was upon these that the House Committee expended some of its energies. It reported back to the House, the day before the close of the first session, a substitute numbered *H. R. 13987*, with an explanatory report.⁷⁴⁵ The report, written by Wickersham, reproduced his strongest arguments in favor of a legislature. The substitute bill was substantially the original with significant sections omitted. The House Committee was not willing to insure Alaska against deficiencies in appropriations, nor to create a special territorial treasurer, nor to permit the popular election of probate judges, justices of the peace and recorders, nor to transfer the "Alaska Fund" from the Treasury of the United States to that of the territory. Further, it felt it necessary to provide expressly that Congress might tax Alaska railroads, and that Alaskans must hew closely to the line of precedent in the number of officials and the or-

⁷⁴⁴ Wickersham's bill was patterned primarily after Washington's Act of 1853.

⁷⁴⁵ *H. Rept. 163* (6078). To compare the original and the substitute *v.* 62 C., *Bills, H. R. 1* and *19*, with special attention to sections 1923 of *H. R. 38* and sections 8 and 16 of *H. R. 13987*. Sections 10 and 12 respectively, on legislative limitations, were not markedly different except for the clause in the first insuring appropriations.

ganization of the legislature. The introduction of this substitute showed that the delegate was not to be allowed to make the instrument somewhat flexible, to lessen the power of the judiciary or to place the license funds where they would be susceptible to popular demand. At the end of the first session, the substitute bill was left pending on the Union Calendar.

These disappointments did not deter Delegate Wickersham, however, from vigorous prosecution of the legislative idea, to which he devoted much of his effort between sessions. The *Valdez Miner*,⁷⁴⁶ mentioning his trip back to the territory between sessions said that he seemed to be more interested in home rule than in anything else. He appeared to find time for few extraneous matters, except an attack upon the Road Commission, then suffering disrepute because one of its employees had embezzled \$17,000.⁷⁴⁷ During his stay the legislative limitations of the home rule bill roused a surprisingly small amount of protest, and much of that was quieted by a conciliatory attitude of explanation, and discussion of possible amendments.⁷⁴⁸ Alaskans had some conception of the difficulties attendant upon congressional legislation and the delegate frequently dilated to them upon the relative omnipotence of the corporations as compared with his own mite of influence. He was, however, subjected to severe criticism for the virulence of his charges against President Taft and Attorney-General Wickersham, a policy which many editors declared made him a positive hindrance to the territory. This sentiment was fostered

⁷⁴⁶ Aug. 12, 1911.

⁷⁴⁷ Referring to the case of Lieutenant Orchard.

⁷⁴⁸ An attitude of compromise was adopted particularly at Cordova, where he made a harmony speech that drew from the *Cordova Alaskan* the grudging admission that, as a whole, "with amendments he will favor," his bill was "a deserving piece of legislation;" *Valdez Miner*, Dec. 10, 1911.

by Senator Nelson and by the *Post-Intelligencer*, which opposed Wickersham although it supported home rule. In defense, Wickersham ascribed some of the rumors concerning his Washington record to a "tainted press." At the same time he discussed his conflicts with relish. "A nice lady-like delegate" he told a Valdez audience, would get nothing from Congress. What they needed, said he, was "some rough fellow who'll fight."⁷⁴⁹ And indeed that expressed the majority sentiment, which inclined to the opinion that the means used were about to be justified by the ends attained.

The Alaska Problem Re-stated

In the year of grace, 1912, the Congress of the United States as a whole for the first time considered seriously its responsibilities as Alaska's guardian. Public opinion and party expediency had been united, on account of the conservation furore, into a demand for legislation – for the enunciation of a definite policy as regards the territory's coal, transportation, and government. All other northern problems were subsidiary to these three, and these were so closely inter-related that they could not well be solved separately.

The executive branch of the government was explicit in its recommendations. The President advised that the coal lands be leased, that a trunk line railroad be constructed and owned by the national government and that a commission be set up for local legislative purposes. Such action Taft urgently recommended in a special message. "Nothing in the history of the United States," said he, "afforded such just reason for criticism as the failure of the Federal government to extend

⁷⁴⁹ Valdez Miner, Dec. 3, 1911.

the benefit of its fostering care to the Territory of Alaska." The United States owed it to the people of Alaska to do these things for them – to give them that "decent protection" they had never had.⁷⁵⁰

The Secretary of the Interior was of the same mind as his chief regarding coal and railroads. But as to government, he was moved to outline a compromise. Fisher agreed with Taft that railroads and increased population, were pre-requisites for "territorial independence and territorial responsibility." He agreed with Governor Clark that federal expenditures for Alaska were yet too large and important to warrant entrusting the territory's welfare to an ordinary legislature. Yet he believed that a local lawmaking body was indispensable; from it alone could emanate such laws and regulations as could supply Alaska with "the fundamental requisites of modern civilized society." At the same time he understood the special antipathy of the Alaskan for a government appointee, for a carpetbagger. To solve this difficulty Fisher had a sensible suggestion which might well have been tried. He proposed that a portion of the legislative commission be elected by the people of the territory from their own number, thereby retaining the form of government best fitted to Alaska's condition and making a pleasing concession to public sentiment at the same time.⁷⁵¹

⁷⁵⁰ Special Message of Feb. 2, 1912. He doubted if it could be said that Alaska had ever had "any government at all." Government ownership and construction of a railroad were the logical result of conservation and were by this time a political necessity. At about this juncture, the choleric Cordova City Council sent Taft a characteristic telegram: "We are already bankrupt waiting legislation. Must we migrate?" *Dispatch*, Feb. 7; *Prospector*, Feb. 8, 1912.

⁷⁵¹ "Secretary of Interior Rept., 1911," 62C:28., *H. Doc. 120* (6222) pp. 52-58. If the Beveridge bill of the previous Congress had been introduced with the Fisher modifications, its chances of passage would have been greater.

The Governor, who was closer to the scene, was more diffident in his recommendations. Some Alaskans opined that his status as a Taft appointee disinclined him for open avowals. Whatever his preferences, he unhesitatingly opposed the enactment of a territorial government law as long as a joint committee had not investigated the conditions on the ground. All too much Alaska legislation, he knew, had proved a misfit for lack of full information at the time of its passage. Furthermore, he apprehended that home rule might prove a bad thing for the territory's schools, roads, jails, and natives. He expected that the amount of money for such public uses would be lessened under a local government because the resulting increase in local taxes would be more than offset by a decrease in federal appropriations. It is worthy of note that Clark thought "fewer persons would favor at this stage any radical change in the mere form of government" if Congress would provide the customary laws recognized as necessary for the prosperity of every other territory or possession of the United States. He emphasized the fact that thus far Alaska had been asked to do without even such elemental laws as those relating to quarantine, sanitation and public health, supervision of banks, registration of births, marriages and deaths, compulsory school attendance, and relief of destitution. It was in his analysis of public opinion that Clark erred. He thought the people of Alaska had no desire for "a local legislature with powers less ample than those of other territorial legislatures, or a local government the expenses of which should be paid in part by Federal appropriations." More than that, he believed that the advocates, as well as the opponents, of home rule would concede that Congress could best inform itself

through the medium of a joint investigating committee.⁷⁵²

Judging public opinion by the only available criteria, the press, resolutions, conventions and appeals, a vast majority of the persons living under the nominal jurisdiction of the governor differed from him decidedly. They had no mind to cultivate patience until a junket should visit them; in fact, their opinion of junkets was not high.⁷⁵³ They boasted no false pride about accepting a limited local legislature in place of none at all. And they were quite willing and expectant that federal appropriations should continue indefinitely, as a concomitant of limited home rule. A partial poll of public opinion on these points was taken at Valdez, where delegates from the third division met on January 6, 8, and 9, 1912, and constituted themselves Alaska's last non-partisan convention before the passage of the home rule bill. This harmony conclave grew out of a suggestion from Pinchot that Alaska's residents demonstrate their ability to get together by doing so, since the impression was current in the states that they were incapable of agreement. According to the original plan of the convention, politics were to be taboo; but discussion of coal and railroads and local legislation brought up the perennial question of home

⁷⁵² "Gov. Rept., 1911," 62C:2S., *H. Doc. 41* (6223) pp. 496-500. As late as May 16, 1912, Clark was reported as of the belief that the Senate would not give favorable consideration to a House bill for home rule before a congressional committee had visited the territory, *Dispatch*.

⁷⁵³ The comment of the *Valdez Miner*, Jan. 14, 1912, upon the visitors of the previous summer lacked respect. "During the last summer, various troops of political tragedians have gone up and down the coast of the third division, mournfully staging, in one night stands, a great melodrama, entitled: 'The Three Guardsmen, Fisher, Pinchot, and Poindexter.'" The moral of this play pointed out to the Alaska people that while it is probable God made the United States, the Three Guardsmen would do a better job for Alaska."

rule. On this point, as well as most of the others before it, the convention attained phenomenal unanimity.

It was the sense of the meeting that Alaskans could legislate for themselves better than could anyone else. Therefore, resolutions against government by commission and in favor of that by an elected body were included among the many upon which the conventioners were able to agree.⁷⁵⁴ There was nothing uncertain in the language used:

The question of paramount importance to the 40,000 former citizens of the United States, now residents of Alaska, is that of the right to govern themselves and regulate their own local affairs, a right that is of inestimable value to a free people, the basis or fundamental principle of the government of the United States, and the birthright of every American citizen. We therefore demand the same rights of self-government that have been accorded to every other territory of the United States occupied and settled by American citizens: and we further demand the abolishment of a bureaucratic government five thousand miles away, often totally ignored and usually indifferent to the actual needs of the people of this vast territory.

These resolutions met with a courteous reception from many of the influential persons to whom they were sent. The administration showed a sympathetic attitude toward them, except on the mooted point of a legislature.

⁷⁵⁴ This meeting also favored a government owned and operated railroad, coal opening under lease if not otherwise possible, abolition of forest reserves and payment into an Alaska treasury of funds received from the sale and lease of land. The laws regarding public health, etc., asked for in the report of the governor, were another part of the resolutions. For details *v. Dispatch*, Nov. 21, 1911, and April 6, 1912; *Valdez Prospector*, Jan. 11, 1912; *Valdez Miner*, Jan. 14, 1912.

Campaign of 1912

The party conventions of 1912 gave additional opportunity for expressions of opinion. The Alaska Democrats meeting at Valdez in April, declared that without home rule the people of Alaska were powerless to obtain legislative reforms: for that reason they must subordinate everything else "to the securing of that great boon." It would be a preparatory step toward that statehood which some of their number already enjoyed in sweet contemplation. The Democrats were unable, however, to subordinate factional jealousy to party prosperity. They split at Valdez into two groups, based upon personality, not platforms.⁷⁵⁵

In their home rule policy the Democrats were entirely consistent with former pledges; but the same was not true of the Republicans, who managed to swallow endorsements of a local legislature and of President Taft in one great gulp. Wickersham claimed that the President, through his private secretary, Mr. Hilles, had promised Hoggatt, Shackelford, and Clark the control of the Alaskan appointments if they delivered two Taft delegates to the national convention.⁷⁵⁶ However that might be, the standpatters decorated their band-wagon with home rule paint and, meeting at Cordova, March 30, put on a little side trimming in the way of a vague allusion to future county government. They telegraphed the Republican chairman of the Senate Committee on Territories, asking him

⁷⁵⁵ The Democratic split was described in the *Valdez Prospector* and the *Valdez Miner* during the first week in April. The *Dispatch* of April 6 gave the Cobb resolution, from which the above quotation is excerpted. The regulars named R. W. Jennings of Juneau, and the bolters Martin Harrais of Chena.

⁷⁵⁶ *Valdez Prospector*, Mar. 28, 1912.

to grease the wheels of the territorial equipage by hastening the passage of the bill for a local legislature. Such action, they wired, was "essential to Republican success."⁷⁵⁷ Evidently their viewpoint was that of Wickersham when he told the House Committee on Territories that "no man dare run for office in Alaska" who is against home rule.⁷⁵⁸

The success of the Alaska Republicans, or the Democrats either, for that matter, was problematical, inasmuch as the friends of Wickersham were regular members of neither organization. They had refused to take part in the amenities of Cordova and had awaited the word from Wickersham before holding a convention to nominate him. He was for a time inclined to thrust that honor upon Sutherland, but when the fact was assured that there would be at least four candidates in the field,⁷⁵⁹ Wickersham gave his friends permission to announce him as a fifth. The Independent Republicans therefore met, at Valdez, May 31, and went on record in support of Wickersham and Roosevelt and in denunciation of Clark and Taft.⁷⁶⁰ They sent a con-

⁷⁵⁷ *Dispatch*, June 5, 1912. The telegram was sent by National Committeeman Shackleford and Territorial Chairman Chas. E. Herron. The standpatters nominated W. A. Gilmore, a popular ex-mayor of Nome and a former friend of Wickersham, who had sent him letters of endorsement for his candidacy. *Valdez Miner*, April 7, 1912, described this meeting in such a manner as to explain the harmony thereat: "Shackleford and Herron had one hundred and eighteen 'votes' in the convention, garnered from various casual and unobtrusive sources of election. This was three-fifths of the total so the other 'delegates' participated as stage furniture and scenic effects."

⁷⁵⁸ *Hearing*, Mar. 29, 1912. Later there was circulated through the north a "Roll of Honor" giving the names of congressmen supporting bills for Alaska; *Valdez Miner*, May 12, 1912.

⁷⁵⁹ The Socialists, meeting at Fairbanks, had named a Mr. Krauczunas, whose chief strength proved to be out on the gold creeks among the placer workers.

⁷⁶⁰ In placing Wickersham in nomination, LeFevre of Skagway styled him "the very incarnation of the spirit of Alaska;" *Valdez Miner*, June 2, 1912.

testing delegation to the Chicago convention and, after they lost to the Shackelford group in the contest for recognition, they and their leader found more congenial associates in the Progressive camp.

This affiliation, it might naturally be supposed, would kill the chances of the Independents for victory in the territory. But the fact should be realized that conservation was not recognized as the real issue in this election – the Regulars had protested their good intentions as loudly as the Progressives – and the Alaska Independents were careful to avoid the issue. They did, however, declare that the application of conservation to Alaska was a thing which should be left to the territorial legislature to determine; to that extent they justified Roosevelt's fears of 1910 that supporters of home rule were anti-conservationists. Their candidate, upon his return to Washington from Chicago, announced that he did not consider himself a "convert" and "would always be independent."⁷⁶¹ It is improbable that this arrangement lost the Independents many votes.

With five candidates in the field it was hard to see how Wickersham could be defeated. What might have resulted if the Alaska Democracy had not become so intoxicated with the hope of victory as to permit a split in its ranks, it is idle to surmise. In any case, none of the candidates was so well known as Wickersham. None was so thoroughly understood to enjoy the enmity of the Alaska Syndicate and of the regular Republican machine, as embodied in the popularly obnoxious personalities of ex-Governor Hoggatt and National Committeeman Shackelford.⁷⁶² More than

⁷⁶¹ Statement credited to Wickersham in the *Dispatch*, Aug. 9, 1912.

⁷⁶² Although the Independents did not favor Clark, he was a great improvement over Hoggatt and meddled less in politics. A patronage differ-

this, it was Wickersham who was the acknowledged patron of the home rule bill pending in Congress. To him, rather than to the Democratic House or the fortuitous circumstances of national politics, Alaskans of that day gave the credit for pushing that measure toward enactment.⁷⁶³ For campaign purposes, even his presence in Alaska was quite unnecessary. He telegraphed from Washington: "I consider it of more importance to the Territory that I remain here and fight for the home rule bill than that I now return to Alaska and fight for myself." And again, "True Alaskans irrespective of party will stand by the man who has stood by them."⁷⁶⁴ For these reasons, a plurality of the voters of that territory made up their minds to give him a third term at Washington.⁷⁶⁵ For home rule, in so far as it constituted a limited local legislature, was about to become an accomplished fact.

ence between him and Shackleford inspired the latter to prevent his endorsement by the Cordova convention.

⁷⁶³ For a strong defense of the delegate and typical charges against him, *v. Dispatch*, Aug. 12, 1912.

⁷⁶⁴ These quotations are taken from a Wickersham advertisement in the *Valdez Miner* of Aug. 4, 1912. They are typical of his campaign material. The fight at Valdez was hot because the third division had suffered severely from conservation and was inclined to take a "bread and butter" view of the election. Wickersham's attacks upon Richardson, as head of the Road Commission, were considered attacks upon the town's prosperity. The delegate, as also Harrais, maintained a news sheet in Valdez during the campaign because both the regular papers opposed them. Their point of view was well described by the *Prospector*, June 20, 1912.

⁷⁶⁵ Wickersham received thirty-nine percent of the total vote, with the Socialist next with twenty-one percent and the Republican third with twenty percent. The official returns as listed in the governor's office are: Wickersham, 2,516; Krauczunas, 1,350; Gilmore, 1,292; Jennings, 944; Harrais, 217; and scattering, 16. The decrease of twenty-five percent from the total vote of the previous election was due to the fact that the home rule bill was practically a law and the prize was generally conceded to belong to Wickersham and sure to go to him.

Passage of the Home Rule Act: August 24, 1912

The second session of the Sixty-second Congress, December 4, 1911-August 26, 1912, differed somewhat from its predecessor in its attitude toward Alaska. It disseminated to the public less of interesting scandal and more of cold facts. The three big problems of coal, railroads, and government were tackled vigorously and with a genuine desire for solution. But as regards the first two, no answer was found; the congressmen were slow at solving an equation in economic terms. The problem of government was less difficult because it was worked in the more familiar figures of politics. The hearings indicated the true nature of the situation. What most interested the congressmen was the fact that conservation was forcing them to advocate the development of the coal lands by lease, rather than sale, and railroad ownership and construction by the government, rather than by private parties. The question of home rule was subsidiary to this situation and secured recognition through it. The delegate seized the opportunity and used it. With what skill is attested by the fact that among the Alaska measures passed at the second session were his bills for the amending of the placer mining law⁷⁶⁶ and for home rule.

The Senate and House Committees on Territories, upon which chiefly rested the responsibility for Alaska legislation, busied themselves continuously, and some work must also be credited to the important Committees on Public Lands and on Fisheries.⁷⁶⁷ Testimony

⁷⁶⁶ Act of Aug. 1, 1912 (37 Stat. L., 242) v 62C:2S., H. R. 18033, *Hearings*, H. Com. on Terr., Feb. 13, 1912.

⁷⁶⁷ *V. Hearings*, S. Sub-Com., on Fisheries, April 26, May 29, June 10; H. Com. on Public Lands, Jan. 31, Feb. 5, May 21; S. Com. on Public Lands, May 22, June 5, 10, 12; H. Com. on Naval Affairs, Feb. 27, 1912.

was submitted at one time or another, by an interesting array of witnesses. There were Secretary of the Interior Fisher, Governor Clark, bureau officials and federal employees. There were the Pacific coast and other western members of Congress, the delegate, ex-Senator Wilson of Seattle and Mr. Pinchot. There were the Alaska Committees of the American Mining Congress, of the Alaska Bureau of the Seattle Chamber of Commerce, the president of the Alaska Packers Association, Mr. C. W. Dorr, and numerous persistent promoters of railroads and mines. Bishop Rowe, an indefatigable worker on behalf of the natives, was another witness and one of the most highly respected. To reconcile the conflicting testimony of all these gentlemen was a herculean task quite beyond the average powers of individual committeemen. But by their combined efforts they succeeded in reaching a unanimous decision to act upon such part of the recommendations and of the evidence as favored the establishment of a limited legislature. In reaching this conclusion they rejected many interesting proposals.⁷⁶⁸

All attempts to put Congress on record as against either leasing⁷⁶⁹ or federal construction of a railroad were a failure. The effort to ascertain whether the government would purchase the Alaska Central, at the time known as the Alaska Northern, or the Copper River and Northwestern were unavailing. The home rule bill simply carried a rider providing for a railroad

⁷⁶⁸ For committee deliberations on the home rule bill *v. Hearings*, S. Com. on Terr., Jan. 17, Feb. 23, May 31, June 4 and 6; H. Com. on Terr., Jan. 16, Feb. 6, 8, 10, 12, 13, 27; Mar. 5, 29, and July 25, 1912.

⁷⁶⁹ For the part played by the American Mining Congress in the forming of a leasing policy *v. Hearings*, S. Com. on Terr., May 10, 1913; S. Com. on Public Lands, June 12, 1912; H. Com. on Public Lands, April 12, 1912. The Alaska leasing problem was well summarized at the hearing of the H. Com. on Public Lands, Feb. 25, 1914.

commission which should "examine into the transportation question" and "obtain information in respect to the coal fields." What might be done with the report of that commission was left safely uncertain.⁷⁷⁰ Nor could the home rule bill be made to serve for railroad tax exemptions; it was specifically provided that such powers should remain with Congress for the next five years. Suggestions that the location of the capital be changed from Juneau to Fairbanks were cleverly thrust aside to avoid jealous complications. Representatives with woman suffrage constituencies tried to fortify their positions by persuading Congress to give Alaska women the vote. Failing in this, they accomplished the very purpose by empowering the territorial legislature to do the same thing, which it promptly did, at its first session.

Other would-be amendments aired the good intentions of various congressmen regarding prohibition and stringent divorce laws; but most interesting of all was the effort of the fishing interests to limit the power of the legislature to tax them. They contended that they were not inimical to Alaska's best interests but that they wished whatever tax was paid by the industry to be put back into it. The lobbies of the fish conservationists and the big New York game hunters were active along similar lines. Therefore two Republican Representatives, Willis of Ohio, and Mann of Illinois, amended the bill for their benefit. They secured upon the floor of the House the insertion of a clause including among those laws which the legislature was for-

⁷⁷⁰ At a hearing before the H. Com. on Terr., April 12, it was remarked that Congress had "learned from long experience" that "a very little opposition . . . is sufficient to kill any measure for Alaska, no matter how good it may be." The final choice of a route was left to President Wilson who set aside the advice of the commission, for unknown reasons.

bidden to "alter, amend, modify, and repeal" measures relating to game and fish.⁷⁷¹ In the Senate Committee the fur-seal laws and those relating to the "Alaska Fund" were added to this category. These precautions went for naught, however, as far as taxation of the fisheries was concerned: for in the inevitable committee of conference of the two houses on the bill as amended by the Senate, the House conferees put through a "joker," following the clause above referred to: "*Provided further*, That this provision shall not operate to prevent the legislature from imposing other and additional taxes or licenses."⁷⁷² The joker was in the bill to stay, and although it is the only clause giving the legislature authority over the fisheries, it has served to empower that body to use the industry as the chief mainstay of the territorial treasury. In 1922 the fisheries were contributing seventy-five percent of the funds paid into the Alaska exchequer.

Throughout the processes of its consideration, Alaska's home rule bill retained the clauses forbidding the legislature to interfere with the sumptuary laws.⁷⁷³ Wickersham had told the Senate Committee that he thought such provisions an insult to his constituents and that he expected them to be repealed "when Congress learns to have confidence in the integrity of the people of Alaska."⁷⁷⁴ Meanwhile, the provisions stood, and there they remain to this day.

⁷⁷¹ V. 62C:2S., *Cong. Rec.*, pp. 5283-5288. As reported from the H. Com. the forbidden laws were "the customs, internal-revenue, postal, or other general laws." Cf. 62 C., H. of R. *Bills*, 1, H. R. 38, Sect. 3, at various stages.

⁷⁷² 62C:2S., *Cong. Rec.*, p. 11393. The joker is explained in the following *Hearings*, S. Com. on Fisheries, June 10, 1912, statements of President Dorr and Delegate Wickersham; H. Com. on Merchant Marine and Fisheries, June 7, 1916, statement of Delegate Wickersham; *ibid.*, April 26, 1918, statement of Delegate Sulzer then contesting the office with Delegate Wickersham.

⁷⁷³ V. *supra*, p. 328.

⁷⁷⁴ *Hearing*, June 4, 1912.

Another characteristic retained throughout the hearings and debate was the stipulation against county formation. The eight senators and sixteen representatives who were provided to constitute this new assembly were to be elected at large from the four judicial divisions, two senators and four representatives from each. Thus all necessity for county organization was avoided. But the Senate Committee on Territories was of a mind to make the law-making body unicameral, to the great dismay of Wickersham, who feared that such action would kill his measure. They were forced, however, to abandon their position when the House refused to pass the bill in that form. Congress thereby demonstrated once more that it is bound by tradition and prefers to stick to it rather than to advance along the lines of experimental democracy. In this case it set up a legislature to be composed of two bodies of men who had duplicate qualifications, duplicate constituents, and duplicate work.⁷⁷⁵

Little remains to be said of this bill or the reasons for its passage. There was a general notion that something must be done to relieve Alaskans, and although one might not approve of the pending plan one should vote for it in lieu of nothing at all.⁷⁷⁶ To congressmen of a sympathetic turn of mind there was a great deal of the human appeal in the situation as expressed in such pleas as the following from an Alaska rhymer:⁷⁷⁷

⁷⁷⁵ Cf. *H. R. 38*, in its various stages, as given in 62 C., H. of R. *Bills*, I, with law as passed. (37 *Stat. L.*, 512).

⁷⁷⁶ Remarked, for example, by Representative White of Ohio, a Democrat. The sensitiveness of the House of Representatives to public opinion was illustrated at a hearing of the H. Com. on Terr., Feb. 6, 1912, when reference was made to the home rule planks of Alaska conventions. Representative Booher of Missouri, a Democrat, remarked that political platforms "in these matters" generally represented the will of the people and were "powerfully persuasive."

⁷⁷⁷ 62C:2S., *Cong. Rec.*, p. 4937, included in the remarks of Representative Wedemeyer of Michigan, a Republican.

Sitting on my coldest glacier, with my feet in Be-
ring Sea,
I am thinking cold and lonely, of the way you've
treated me.
Three and thirty years of silence! Through ten thous-
and sleeping nights
I've been praying for your coming, for the dawn of
civil rights.
When you took me, young and trusting, from the
growling Russian Bear,
Loud you swore before the nation I should have the
Eagle's care.
Never yet has wing of Eagle cast a shadow on my
peaks,
But I've watched the flight of buzzards, and I've
felt their busy beaks.

For congressmen of a statistical disposition, Wick-
ersham provided a very impressive, detailed, and con-
vincing array of statistics which were presented by
himself and his friends at the hearings, in the House
debate and in a document printed especially for the
purpose.⁷⁷⁸

It is claimed that party lines were obliterated on this
measure and it is true that they were evident only in the
votes upon isolated House amendments. Mr. Legare,
a Democrat from South Carolina, speaking for his
fellow-committeemen said, "I don't think, in the man-
agement of this matter, that the committee is going to
give any attention to politics. We want to do the best
we can for that country."⁷⁷⁹ And in corroboration of
his remarks, there was hung in the House of Represen-
tatives, near a large and much-used map of Alaska, a

⁷⁷⁸ *V. S. Doc.*, 882 (6178).

⁷⁷⁹ *Hearing*, H. Com. on Terr., Feb. 10, 1912.

poster bearing the legend, "No party lines on the Alaska question in the House Committee on Territories." The *Appendix* to the *Congressional Record* however, bore mute evidence to the fact that the home rule bill gave a splendid opportunity for the "extension of remarks" for home consumption, so essential to the welfare of many congressmen in the fall of 1912. Whether or not the home rule bill was essential to the welfare of Alaskans was a secondary consideration. At any rate, the political weather was favorable to its enactment into law, which took place on August 24, 1912.⁷⁸⁰ In her struggle for home rule, Alaska had at last achieved a legislature.

Conclusion

A legislature in itself, no matter how limited, seemed no small accomplishment. Alaskans for the first time were about to have a hand in the making of their own local laws. This was a great advance over their previous status. When the United States acquired the dependency in 1867, it was bereft of what law the Czar had given it, and received nothing in its place. Except for a ridiculous Customs Act of 1868 and a subsidy of the seal monopoly in the extreme northwest in 1870 (found necessary to preserve the seals from extinction) Congress gave the district no recognition. Legally it could scarcely be said to exist. But Alaskans of the Panhandle had early evidenced an unwillingness to remain outside of the pale of civilization. They had implored the officers of the Army, the Navy, and the Treasury, stationed at intervals in northern waters, to assume duties quite outside their spheres and to give Alaskans the semblance of civil organization. Col-

⁷⁸⁰ 37 Stat. L., 512.

lector of Customs Ball and Captain Beardslee had tried to be obliging in this matter. In addition, the development of the salmon canning industry, about 1879, had a little to do with giving Alaska some law and order. For the rest, the pioneers had recourse to their own ingenuity, erecting temporary city governments, assembling non-partisan conventions, and dispatching to Washington the chosen spokesmen of their pleas.

After it had become known, by the discovery of gold near Juneau, that Alaska might assume economic importance, a handful of interested senators put through Congress an Organic Act. This law of 1884 gave the vast region to the north – a region one-sixth the size of the United States – a governor and a judge; but it failed to grant them means by which they could make themselves of use. Sixteen years had then passed, with the federal officials straining against their nonentity, the Presbyterian hierarchy in the saddle, and the people growing in numbers, wealth, discontent, and assumption of importance. Their emissaries to the national legislature had accomplished little, until the Klondike rush. Then Congress decided that Alaska needed the gift of law and order from the national fountain head of legislation. For the first time in the history of the United States, the federal lawmaking body had passed special criminal and civil codes for exclusive application to a territory.

The codes of 1899 and 1900 appeared to mark a new era. Coal and copper coming to the fore soon made this new era certain. Population and corporate interests multiplied together; but, contrary to the wishes of the latter and partly because of their lack of political skill, demands for territorial recognition became too

insistent to be refused. So, in 1906, against the wishes of the taxable industries, Alaskans had been granted the privilege of electing one of their number as delegate to Congress. It seemed likely that the struggle for home rule could accomplish little against the vested interests for a long time thereafter. But shortly, conservation became the battle cry of political factions in the states, and the miscalculations of the Alaska Syndicate, when they tried to develop railroad and coal projects as side lines to their very successful copper developments, gave the new agitation a peculiar application to the territory in which they had invested so heavily. It happened that Alaska's strongest politician had made himself delegate to Congress by this time. A set of fortuitous circumstances offered themselves ready to his hand. He manipulated them cleverly and in 1912 Alaska took a long stride toward home rule, by means of an enabling act providing for a local legislature.

At this point the story of Alaska's struggle for home rule comes to a natural conclusion. For home rule, if not an accomplished fact, has essentially been achieved, because the enabling act of 1912 made Alaska a potential state. But on the other hand the legislature of the territory has never yet exercised the full powers usually granted such institutions. The special limitations which had to be inserted in the act to insure its passage have not been removed in the ten years since elapsed. In other words, Alaska has not outgrown the original measure in so far as its political framework is concerned. Her population, instead of multiplying, has decreased; her industries, instead of expanding, have suffered a severe slump, especially since the close of the Great War. That conflict drained Alaska of her

younger pioneers and discouraged investment in the north. Even before 1917, it had become evident that the market for Alaska coal could not for many years attain the importance expected of it, for the completion of the Panama Canal and the booming of California oil affected the demand adversely. As for the salmon industry, the depletion of those fisheries has been the basis for the most important litigation the territory has known, and in the year 1923 the situation is alarming.

That for which Alaskans have been struggling since 1912 has not been political recognition. It has been economic development, for which they are dependent upon the action of Congress. That body has before it a difficult problem. How may the great resources of Alaska be developed at the same time that they are conserved and kept free from monopolization? Toward the solution of this problem a beginning has been made. A system of coal leasing has been inaugurated; the same principle has been extended to the petroleum industry; and the federal government has constructed and put into operation a trunk line railroad connecting the big interior with the coast at an ice-free port. But there yet remains much to be done. The fisheries must be conserved; ocean transport must become equitable; and the departmental red tape that has hindered and bound Alaska development must be untangled and cut away, in order that the government may deal with the northerners efficiently and economically. The development of Alaska's resources will be of benefit not only to Alaskans but those not resident in the territory. Above all it will give opportunity for the settlement of this northern region, which is a boon to the American people who are still land hungry. When by such

means the territory shall have increased in happiness and well-being, her political history will begin anew, the struggle for home rule will recommence, and Alaska will rapidly equip herself for entrance into the sisterhood of states as one of the greatest.

Appendix—the Organic Act of May 17, 1884

An Act Providing a Civil Government for Alaska

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the territory ceded to the United States by Russia by the treaty of March thirtieth, eighteen hundred and sixty-seven and known as Alaska, shall constitute a civil and judicial district, the government of which shall be organized and administered as hereinafter provided. The temporary seat of government of said district is hereby established at Sitka.

SEC. 2. That there shall be appointed for the said district a governor, who shall reside therein during his term of office and be charged with the interests of the United States Government that may arise within said district. To the end aforesaid he shall have authority to see that the laws enacted for said district are enforced, and to require the faithful discharge of their duties by the officials appointed to administer the same. He may also grant reprieves for offenses committed against the laws of the district or of the United States until the decision of the President thereon shall be made known. He shall be ex-officio commander-in-chief of the militia of said district, and shall have power to call out the same when necessary to the due execution of the laws and to preserve the peace, and to cause all able-bodied citizens of the United States in said district to enroll and serve as such when the public exigency demands; and he shall perform generally in and over said district such acts as pertain to the office of governor of a territory, so far as the same may be made or become applicable thereto. He shall make an annual report, on the first day of October in each year, to the President of the United States, of his official acts and doings, and of the condition of said district, with reference to its resources, industries, population, and the administration of the civil government thereof. And the President

of the United States shall have power to review and to confirm or annul any reprieves granted or other acts done by him.

SEC. 3. That there shall be, and hereby is, established a district court for said district, with the civil and criminal jurisdiction of district courts of the United States, and the civil and criminal jurisdiction of district courts of the United States exercising the jurisdiction of circuit courts, and such other jurisdiction, not inconsistent with this act, as may be established by law; and a district judge shall be appointed for said district, who shall during his term of office reside therein and hold at least two terms of said court therein in each year, one at Sitka, beginning on the first Monday in May, and the other at Wrangell, beginning on the first Monday in November. He is also authorized and directed to hold such special sessions as may be necessary for the dispatch of the business of said court, at such times and places in said district as he may deem expedient, and may adjourn such special session to any other time previous to a regular session. He shall have authority to employ interpreters, and to make allowances for the necessary expenses of his court.

SEC. 4. That a clerk shall be appointed for said court, who shall be ex-officio secretary and treasurer of said district, a district attorney, and a marshal, all of whom shall during their terms of office reside therein. The clerk shall record and preserve copies of all the laws, proceedings, and official acts applicable to said district. He shall also receive all moneys collected from fines, forfeitures, or in any other manner except from violations of the custom laws, and shall apply the same to the incidental expenses of the said district court and the allowances thereof, as directed by the judge of said court, and shall account for the same in detail, and for any balances on account thereof, quarterly, to and under the direction of the Secretary of the Treasury. He shall be ex-officio recorder of deeds and mortgages and certificates of location of mining claims and other contracts relating to real estate and register of wills for said district, and shall establish secure offices in the towns of Sitka and Wrangell, in said district for the safekeeping of all his official records, and of records concerning the reformation and establishment of the present status of titles to lands, as hereinafter directed: *Provided*, That the district court hereby created may direct, if it shall deem it expedient, the establishment of separate offices at the settlements of Wrangell, Oonalashka, and Juneau City, respectively, for the recording of such

instruments as may pertain to the several natural divisions of said district most convenient to said settlements, the limits of which shall, in the event of such direction, be defined by said court; and said offices shall be in charge of the commissioners respectively as hereinafter provided.

SEC. 5. That there shall be appointed by the President four commissioners in and for the said district who shall have the jurisdiction and powers of commissioners of the United States circuit courts in any part of said district, but who shall reside, one at Sitka, one at Wrangell, one at Oonalashka, and one at Juneau City. Such commissioners shall exercise all the duties and powers, civil and criminal, now conferred on justices of the peace under the general laws of the State of Oregon, so far as the same may be applicable in said district, and may not be in conflict with this act or the laws of the United States. They shall also have jurisdiction, subject to the supervision of the district judge, in all testamentary and probate matters, and for this purpose their courts shall be opened at stated terms and be courts of record, and be provided with a seal for the authentication of their official acts. They shall also have power to grant writs of habeas corpus for the purpose of inquiring into the cause of restraint of liberty, which writs shall be made returnable before the said district judge for said district; and like proceedings shall be had thereon as if the same had been granted by said judge under the general laws of the United States in such cases. Said commissioners shall also have the powers of notaries public, and shall keep a record of all deeds and other instruments of writing acknowledged before them and relating to the title to or transfer of property within said district, which record shall be subject to public inspection. Said commissioners shall also keep a record of all fines and forfeitures received by them, and shall pay over the same quarterly to the clerk of said district court. The governor appointed under the provisions of this act shall, from time to time, inquire into the operations of the Alaska Seal and Fur Company, and shall annually report to Congress the result of such inquiries and any and all violations by said company of the agreement existing between the United States and said company.

SEC. 6. That the marshal for said district shall have the general authority and powers of the United States marshals of the States and Territories. He shall be the executive officer of said court, and charged with the execution of all process of said court and with the

transportation and custody of prisoners, and he shall be ex-officio keeper of the jail or penitentiary of said district. He shall appoint four deputies, who shall reside severally at the towns of Sitka, Wrangell, Oonashka, and Juneau City, and they shall respectively be ex-officio constables and executive officers of the commissioners' courts herein provided, and shall have the powers and discharge the duties of United States deputy marshals, and those of constables under the laws of the State of Oregon now in force.

SEC. 7. That the general laws of the State of Oregon now in force are hereby declared to be the law in said district, so far as the same may be applicable and not in conflict with the provisions of this act or the laws of the United States; and the sentence of imprisonment in any criminal case shall be carried out by confinement in the jail or penitentiary hereinafter provided for. But the said district court shall have exclusive jurisdiction in all cases in equity or those involving a question of title to land, or mining rights, or the constitutionality of a law, and in all criminal offenses which are capital. In all civil cases, at common law, any issue of fact shall be determined by a jury, at the instance of either party; and an appeal shall lie in any case, civil or criminal, from the judgment of said commissioners to the said district court where the amount involved in any civil case is two hundred dollars or more, and in any criminal case where a fine of more than one hundred dollars or imprisonment is imposed, upon the filing of a sufficient appeal bond by the party appealing, to be approved by the court or commissioner. Writs of error in criminal cases shall issue to the said district court from the United States circuit court for the district of Oregon in the cases provided in chapter one hundred and seventy-six of the laws of eighteen hundred and seventy-nine; and the jurisdiction thereby conferred upon circuit courts is hereby given to the circuit court of Oregon. And the final judgments or decrees of said circuit and district court may be reviewed by the Supreme Court of the United States as in other cases.

SEC. 8. That the said district of Alaska is hereby created a land district, and a United States land-office for said district is hereby located at Sitka. The commissioner provided for by this act to reside at Sitka shall be ex-officio register of said land-office, and the clerk provided for by this act shall be ex-officio receiver of public moneys and the marshal provided for by this act shall be ex-officio surveyor-

general of said district and the laws of the United States relating to mining claims, and the rights incident thereto, shall, from and after the passage of this act, be in full force and effect in said district, under the administration thereof herein provided for, subject to such regulations as may be made by the Secretary of the Interior, approved by the President: *Provided*, That the Indians or other persons in said district shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress; *And provided further*, That parties who have located mines or mineral privileges therein under the laws of the United States applicable to the public domain, or who have occupied and improved or exercised acts of ownership over such claims, shall not be disturbed therein, but shall be allowed to perfect their title to such claims by payment as aforesaid: *And provided also*, That the land not exceeding six hundred and forty acres at any station now occupied as missionary stations among the Indian tribes in said section, with the improvements thereon erected by or for such societies shall be continued in the occupancy of the several religious societies to which said missionary stations respectively belong until action by Congress. But nothing contained in this act shall be construed to put in force in said district the general land laws of the United States.

SEC. 9. That the governor, attorney, judge, marshal, clerk, and commissioners provided for in this act shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall hold their respective offices for the term of four years, and until their successors are appointed and qualified. They shall severally receive the fees of office established by law for the several offices the duties of which have been hereby conferred upon them, as the same are determined and allowed in respect of similar offices under the laws of the United States, which fees shall be reported to the Attorney-General and paid into the Treasury of the United States. They shall receive respectively the following annual salaries. The governor, the sum of three thousand dollars; the attorney, the sum of two thousand five hundred dollars; the marshal, the sum of two thousand five hundred dollars; the judge, the sum of three thousand dollars; and the clerk, the sum of two thousand five hundred dollars, payable to them quarterly from the Treasury of the

United States. The District Judge, Marshal, and District Attorney shall be paid their actual, necessary expenses when travelling in the discharge of their official duties. A detailed account shall be rendered of such expenses under oath and as to the marshal and district attorney such account shall be approved by the judge, and as to his expenses by the Attorney-General. The commissioners shall receive the usual fees of United States commissioners and of justices of the peace of Oregon, and such fees for recording instruments as are allowed by the laws of Oregon for similar services and in addition a salary of one thousand dollars each. The deputy marshals, in addition to the usual fees of constables in Oregon, shall receive each a salary of seven hundred and fifty dollars, which salaries shall also be payable quarterly out of the Treasury of the United States. Each of said officials shall, before entering on the duties of his office, take and subscribe an oath that he will faithfully execute the same, which said oath may be taken before the judge of said district or any United States district or circuit judge. That all officers appointed for said district, before entering upon the duties of their offices, shall take the oaths required by law and the laws of the United States, not locally inapplicable to said district and not inconsistent with the provisions of this act are hereby extended thereto; but there shall be no legislative assembly in said district, nor shall any Delegate be sent to Congress therefrom. And the said clerk shall execute a bond, with sufficient sureties, in the penalty of ten thousand dollars, for the faithful performance of his duties, and file the same with the Secretary of the Treasury before entering on the duties of his office; and the commissioners shall each execute a bond, with sufficient sureties, in the penalty of three thousand dollars, for the faithful performance of their duties, and file the same with the clerk before entering on the duties of their office.

SEC. 10. That any of the public buildings in said district not required for the customs service or military purposes shall be used for court-rooms and offices of the civil government; and the Secretary of the Treasury is hereby directed to instruct and authorize the custodian of said buildings forthwith to make such repairs to the jail in the town of Sitka, in said district, as will render it suitable for a jail and penitentiary for the purposes of the civil government hereby provided, and to surrender to the marshal the custody of said jail and the other

public buildings, or such parts of said buildings as may be selected for court-rooms, offices, and officials.

SEC. 11. That the Attorney-General is directed forthwith to compile and cause to be printed, in the English language, in pamphlet form, so much of the general laws of the United States as is applicable to the duties of the governor, attorney, judge, clerk, marshals, and commissioners appointed for said district, and shall furnish for the use of the officers of said territory so many copies as may be needed of the laws of Oregon applicable to said district.

SEC. 12. That the Secretary of the Interior shall select two of the officers to be appointed under this act, who, together with the governor, shall constitute a commission to examine into and report upon the condition of the Indians residing in said Territory, what lands, if any, should be reserved for their use, what provision shall be made for their education, what rights by occupation of settlers should be recognized, and all other facts that may be necessary to enable Congress to determine what limitations or conditions should be imposed when the land laws of the United States shall be extended to said district; and to defray the expenses of said commission the sum of two thousand dollars is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

SEC. 13. That the Secretary of the Interior shall make needful and proper provision for the education of children of school age in the Territory of Alaska, without reference to race, until such time as permanent provision shall be made for the same, and the sum of twenty-five thousand dollars, or so much thereof as may be necessary is hereby appropriated for this purpose.

SEC. 14. That the provisions of chapter three, title twenty-three, of the Revised Statutes of the United States, relating to the unorganized Territory of Alaska, shall remain in full force, except as herein specially otherwise provided; and the importation, manufacture and sale of intoxicating liquors in said district except for medicinal, mechanical, and scientific purposes is hereby prohibited under the penalties which are provided in section nineteen hundred and fifty-five of the Revised Statutes for the wrongful importation of distilled spirits. And the President of the United States shall make such regulations as are necessary to carry out the provisions of this section.

Approved, May 17, 1884.

23 Stat. L., 24.

Guide to Alaskana in the United States

Explanatory Statement

The history of Alaska has not as yet commanded the interest of many students. One who sets to work upon it therefore becomes a pioneer and must blaze his own trail. At the outset the present writer gained insight into the general field from collections of Alaskana in private hands.

The details of the story as it was lived by the people in the territory were obtained from newspapers and magazines published by them. These constituted an invaluable source of information as to the actual conditions under which Alaskans lived and as to the opinions they held of themselves.

How Congress regarded Alaskans and what legislation senators and representatives deemed necessary for their welfare were divulged by the official documents. These documents, together with the local papers, furnished the material most useful to the writer.

But there were thirty years, 1867-1897, when Alaska had almost no newspapers of her own; and during another epoch, 1907-1912, Alaska's affairs were closely connected with those of the nation. During those years, periodicals printed outside of Alaska, as well as semi-official publications put out by various organizations, provided sidelights on Alaska history not to be found elsewhere.

Prior to 1923, no books devoted to the political history of Alaska have been printed. Therefore but few secondary works have had anything to offer along that line, and they but little.

Collections of Alaskana

ANDREWS PAPERS, property of Mr. C. L. Andrews of Seattle, Washington. Include a remarkable collection of newspapers issued on the Klondike trail and at other interior points in the early days of the gold rushes, 1897-1901; scattering and rare copies of papers published in the extreme north at Nome, St. Michaels, Cape Prince of Wales, and Fort Clarence, 1895-1918; scattering copies of interior Alaska and Yukon Territory papers, 1901-1919; large files of papers published in the Panhandle, especially at Sitka, Skagway and Juneau, 1885-1918. Available for research with proper introduction.

BRADY PAPERS, property of Miss Mary Brady of Poughkeepsie, N. Y. Include material gathered by her father, John G. Brady, during the forty years of his life in Alaska as missionary, teacher, tradesman, commissioner, governor, and private citizen, 1878-1918. There are letters, notes, diaries, newspapers, and original manuscripts of articles to have been included in a history by the ex-governor.

BROOKS PAPERS, property of Dr. Alfred H. Brooks, geologist in charge of Alaska Geological Survey, Washington, D. C. Include scientific data mostly, but also notes and original manuscript upon various phases of Alaska life as seen by the geologist on his annual and lengthy trips into the territory, 1898-1923. Non-political in character.

DALL PAPERS, property of Dr. W. H. Dall of the Smithsonian Institution of Washington, D. C. Consist principally of twenty bound volumes of newspaper clippings, 1867-1892, and a large quantity of unbound clippings, 1893-1912. Contain also a few rare printed works including the entire eight volumes of the *Alaska Herald*, published 1868-1876. Available for historical research upon proper introduction.

JACKSON PAPERS, property of the Misses Lesley and Sheldon Jackson, daughters of Dr. Sheldon Jackson, Washington, D. C., and placed in the care of the Presbyterian Historical Society of Philadelphia. Include most of the private letters of Doctor Jackson dur-

ing the entire period of his connection with Alaska, 1877-1908; newspaper clippings for the same period, also leaflets, pamphlets, and official publications of the Presbyterian Board of Home Missions. A considerable part of these papers refers to activities of Doctor Jackson in fields outside of Alaska.

PRICE PAPERS, property of Mr. John G. Price of Seattle, Washington. Include chiefly newspapers, clippings, and data relative to Alaska conventions during the period of the owner's connection with them, 1899-1906.

SWINEFORD PAPERS, property of his daughter, Mrs. Allen Shattuck, of Juneau, Alaska. Include letters, official papers, and files of the newspapers edited by the governor during his period of office at Sitka and thereafter, as newspaper editor, at Ketchikan, 1885-1909. Especially valuable for data on the conventions in which Swineford took part.

WICKERSHAM PAPERS, property of Honorable James Wickersham of Juneau, Alaska, and placed in storage at Tacoma, Washington. Include the most complete file of newspapers in existence, also the private and personal papers of Mr. Wickersham during his terms as Judge and Delegate, 1900-1921.

GOVERNOR'S OFFICE PAPERS, property of the Territory of Alaska and placed on file at Juneau. Include what are evidently the official files covering the period from 1884-1906, brought from Sitka in books of letter-press copies, and the official files, including correspondence and reports, subsequent to 1906. Accessible to those interested.

SEATTLE CHAMBER OF COMMERCE PAPERS, property of Alaska Bureau, Seattle, Washington. Include miscellaneous official reports, unofficial publications, and clippings from newspapers and magazines, dating from 1874-1923. Of this material the hearings on transportation are the most valuable. Available for reference.

Bibliographies

Thus far, the printed bibliographies on Alaska have been limited to the scientific data published under the supervision of the federal bureaus, and to the material on the Russian period compiled by Bancroft, Dall, and Golder. However, two bibliographies, including materials on the recent political history of Alaska have

been made by Mr. Hugh Morrison of the House of Representatives Reading Room, Library of Congress. He compiled, under the direction of the Honorable James Wickersham and with the assistance of Mr. George Jeffery, a *Bibliography of United States Government Documents relating to Alaska, 1822-1917*. This bibliography at present exists only in typewritten form, one copy of which, fully completed, is in the hands of Judge Wickersham and the other, partially complete, in the hands of Mr. Morrison. It is a prodigious time-saver for anyone making continual use of official publications relating to the territory.

Mr. Morrison has also prepared a *Preliminary Check-list of Alaskan Newspapers and Periodicals, 1867-1915*. Of this check-list one hundred copies were mimeographed and sent to the various newspaper editors in Alaska. The Library of Congress has one copy and Judge Wickersham several. The list furnishes the titles, dates, names of editors, and political bias of the Alaska newspapers and magazines printed from time to time. Most of the publications listed are represented in the *Wickersham Papers* and many of them in the *Andrews Papers*.

Further, Mr. Morrison prepared for Judge Wickersham a card catalogue, by author and title, of all books and magazine articles published in English or Russian relating to Alaska, from the middle of the eighteenth century until 1917. This card catalogue is part of the private library of Judge Wickersham and is stored with his papers.

For the assistance of future students, the writer secured the coöperation of librarians throughout the United States and compiled a bibliography of all Alaska newspapers and periodicals known to be on file in

1923. The bibliography is appended herewith under the caption "Location of Periodicals Published in Alaska," and is divided into two parts: A: Newspapers, and B: Periodicals other than Newspapers. The list indicates the place of publication, title, and approximate dates of each newspaper and magazine, together with the library in which it may be found. The repositories are indicated as follows:

Alaska Library, Juneau	A. L.
Alaska Museum, Juneau	A. M.
American Antiquarian Society, Worcester, Massachusetts .	A. A. S.
Bancroft Library, University of California, Berkeley .	U. of C.
Boston Public Library	B. P.
Library of Congress	L. C.
New York Public Library	N. Y. P.
Newberry Library, Chicago	N.
Seattle Public Library	S. P.
University of Washington Library, Seattle . . .	U. of W.
Wisconsin State Library, Madison	Wis.
Yale University Library, New Haven	Y. U.

It should also be noted that, although the contents of the Alaska Museum and Alaska Library at Juneau have not yet been catalogued, a law of 1900 required that the latter receive regularly copies of all newspapers and magazines published in Alaska and it is therefore supposed to have complete files of everything since that date.

Location of Periodicals published in Alaska

A. Newspapers

ANCHORAGE: *Alaskan*, 1916, February 19. (LC)

Alaska Railroad Record, 1919-1920, vol. i-iv. (Wis)

CORDOVA: *Alaskan*, 1911, August 17-1912, January 27. (NYP)

DOUGLAS: *Alaskan Sourdough*, 1911, October 2 and December 5. (NYP)

Island News, 1899-1900. (AL)

1900, January 24, February 14 and 28: 1901, July 31: 1903, March-December: 1904, March-July. (LC)

FAIRBANKS: *Miners' Union Bulletin*, 1909, January-1910, August. (Wis)

News-Miner and Tanana Tribune, 1911, December 9. (NYP)

Times, 1911, October 16: 1913, November 17-December 29: 1914, January 12-May 25, June 8-December 28: 1915, January 4-25, February 8-April 5, 26-August 30, September 13-October 11, 25-December 20: 1916, January 3-October 2. (NYP)

HOT SPRINGS: *Echo*, November 11, 1911. (NYP)

JUNEAU: *Alaska Dispatch*, 1900-1918: 1903, March 1-December 26 (Sunday edition). (LC)

Alaska Empire, 1917-. (LC)

Alaska Journal, 1893, March 4-October 14. (LC)

Alaska Miner, 1898. (AL)

1900 February 10, 17 and March 3. (LC)

Alaska Mining Record, 1888, July 5-1890, February 27. (AM)
1889-1899. (AL)

1894, January 27, February 3: 1899 and 1899, February 5 (evening edition). (LC)

1895, October 30, 1895-1896, May 27 (incomplete): 1897, January (souvenir issue). (SP)

- Alaska News*, 1894, January 25. (LC)
 1896, April 30-June 25. (SP)
Alaska Record Miner, 1900, March 10: 1902, March 22.
 (NYP)
 1903, February-December: 1904, April-July: 1906, September-1911, May. (LC)
Alaska Searchlight, 1896, February 1-June 6 (incomplete).
 (SP)
Alaska Truth, 1900, March 2-October 26. (NYP)
 KETCHIKAN: *Mining Journal*, 1901, October 5. (LC)
 NOME: *Alaska Nugget*, 1901, July 23, 30, August 6, 16, 23, 30,
 September 3, 6, October 30: 1903, July 18: 1912, November-
 1919, October (except April-May, 1913). (LC)
Chronicle, 1900. (AL)
Gold Digger, 1901, July 24. (LC)
 1903, July 22. (Wis)
News, 1900. (AL)
 1901, July 6, 13, 20, 24, 27, August 1, 7, 10, 14, 24, September
 2, 5. (LC)
 1904, April 4. (Wis)
 SEWARD: *Gateway*, 1911, November 18. (NYP)
 1915, January-1919, December. (LC)
 SITKA: *Alaska Herald*, 1892, June 27-1894, June 9. (AM)
 1894, January 8, 15. (LC)
Alaska Times, 1868, September 19 (hand written). (AM)
 (photostat). (LC)
 1869, May 21, June 11, 25, July 16, 23, 30, August 6, 20,
 27, October 2, 9, 16. (BP)
 November 6, December 11, 18, 25. (AAS)
 1870, May 28. (YU)
 1869-1871 (incomplete). (U of C)
Alaskan, 1885-1905. (AM)
 1885-1907. (Wis)
 1886, July 17. (BP)
 1893, August 2. (AAS)
 1886, April 17, 24, May 1, 8, July 24-October 23, November
 27, December 4: 1890, July 26-1894, February 10: 1897,
 August-1907, September. (LC)
Post, 1876-1877. (LC)

- SKAGWAY: *Alaskan*, 1901, September-December. (AL)
 1903, February-December, 1904, March-July. (LC)
News, 1898, February-1899, April. (AL)
- TELLER: *News*, 1901, July 25. (LC)
- VALDEZ: *Forty-Ninth Star*, 1916, January 22, February 5, 12, 19,
 March 4, 11, 18, April 1, 22, 29, May 6, 13. (LC)
Miner, 1911, March-1919. (LC)
News, 1903, February-December. (LC)
Prospector, 1902, February-1904: 1906, August-1909: 1910-
 1912, August. (LC)
- WRANGELL: *Sitkeen River Journal*, 1898-1899. (AL)

B. Periodicals other than newspapers

- CAPE PRINCE OF WALES: *Eskimo Bulletin*, 1897, July. (AAS)
- FAIRBANKS: *Alaskan Churchman*, 1911, May-, vol. v.-. (SP)
- JUNEAU: *Alaska-Yukon Magazine* (also *Alaska Magazine*) 1905-
 1911, vol. i-xii. (SP)
 1905-1912, vol. i-xiii. U of W)
 1906-1907, except vol. iii, no. 3-4. (LC)
- SITKA: *North Star*, 1887-1897, vol. i-viii. (LC)
 1888, April. (BP)
- FORT WRANGELL: *Glacier*, 1886, August, vol. i, no. 9. (BP)

Official Documents

The pioneer student of Alaska's political history is largely dependent upon the official documents. For present purposes they are classified as follows: for Alaska debates on the floor of Senate or House, *Congressional Globe*, 1867-1873, and *Congressional Record*, 1873-1922; for reports of administrative and investigative officials and committees of Congress, the *Committee Reports* and the *Executive and Miscellaneous Documents*, each of which is cited with its serial number; for laws in the process of their making, the bound *Bills* of Senate and House as published since

the Fourteenth Congress and the *Hearings* of the committees of Congress as published to an increasing extent since 1900 (the latter a most valuable source of information) ; for laws as finally passed, the *Statutes at Large* ; for litigation, the *United States, California, Oregon, Washington, and Alaska Reports* ; for personnel of administration, the *Official Register*, popularly known as the "Blue Book;" and for political affiliations the *Congressional Directory*.

Periodicals published outside of Alaska

A. Newspapers

<i>Boston Advertiser</i>	<i>San Francisco Bulletin</i>
<i>Chicago Times</i>	<i>San Francisco Call</i>
<i>Dawson News</i>	<i>San Francisco Chronicle</i>
<i>Los Angeles Times</i>	<i>San Francisco Examiner</i>
<i>Minneapolis Journal</i>	<i>San Francisco Herald</i>
<i>New York Post</i>	<i>Savannah News</i>
<i>New York Times</i>	<i>Seattle Argus</i>
<i>New York Tribune</i>	<i>Seattle Post-Intelligencer</i>
<i>New York Voice</i>	<i>Seattle Times</i>
<i>New York World</i>	<i>Tacoma Ledger</i>
<i>Newark News</i>	<i>Tacoma News</i>
<i>Portland (Ore.) Journal</i>	<i>Victoria Call</i>
<i>Portland Oregonian</i>	<i>Victoria Colonist</i>
<i>Philadelphia North-American</i>	<i>Washington National Republican</i>
<i>Puget Sound Argus</i>	<i>Washington Post</i>
<i>San Francisco Alta Californian</i>	<i>Washington Star</i>
<i>San Francisco Argonaut</i>	

B. Periodicals other than Newspapers

I. Devoted mainly to Alaska

- BOSTON: *Alaskan*, 1906-1907, vol. i-ii, no. 1. (LC)
- CHICAGO: *Midnight Sun*, 1907-1908, vol. i, nos. 1-3. (LC)
- SAN FRANCISCO: *Alaska Appeal*, 1879-1880. (U of C)
1879, vol. i, scattering. (AL) (N)
- Alaska Herald*, 1868-1876, vol. i-viii. (Dall Coll)
1868-1876, incomplete. (U of C)
1868-1871, scattering. (AL)

Alaska Tribune, 1870, vol. i, no. 1. (U of C)

Free Press, 1868, May 2 and 9. (AL)

SEATTLE: *Alaska and Northwest Mining Journal*, later *Alaska and Northwest Journal*, later still *Pacific and Alaska Review*, 1915, vol. vi: 1899, vol. i, no. 1. (SP)

Nos. 2, 3, 4. (U of W)

TACOMA: *Alaskan Magazine*, 1900, vol. i, nos. 1-8. (LC)

2. General

<i>American Historical Review</i>	<i>Leslie's Weekly</i>
<i>Appleton's Booklovers' Magazine</i>	<i>New York Nation</i>
<i>Atlantic Monthly</i>	<i>Outlook</i>
<i>California Law Review</i>	<i>Political Science Quarterly</i>
<i>Collier's Magazine</i>	<i>Review of Reviews, American</i>
<i>Harper's Magazine</i>	<i>Washington Historical Quarterly</i>
<i>Interior</i>	<i>Saturday Evening Post</i>
<i>Journal of Education</i>	<i>Scribner's Magazine</i>

Semi-Official Publications

American Mining Congress, *Proceedings*, 1902-1914.

Democratic Party, *Proceedings of National Convention*, 1888-1912.

Klondike Guide, Buffalo and Toronto, 1898.

National Educational Association, *Official Proceedings*, 1885.

Republican Party, *Proceedings of National Convention*, 1888-1912.

Trans-Mississippi Commercial Congress, *Official Proceedings*, 1902-1910.

Secondary Works

Badlam (Alexander), *Wonders of Alaska*, San Francisco, 1899.

Balch (E. S.), *Letters and Papers relating to the Alaska Frontier*, Philadelphia, 1904.

Bancroft (H. H.), *History of Alaska*, San Francisco, 1886.

Bruce (M. W.), *Alaska*, New York, 1899.

Cleveland (Cynthia E.), *See-Saw*, Washington, 1881.

Coolidge (L. A.), *An Old Fashioned Senator*, New York, 1910.

- Dall (W. H.), *Alaska and its Resources*, Boston, 1870.
- Dodge (W. S.), *Fourth of July Oration*, 1868, San Francisco, 1868.
- Elliott (Henry W.), *Our Arctic Province*, New York, 1886.
- Golder (F. A.), *Russian Expansion on the Pacific, 1641-1850*, Cleveland, 1914.
- Hallock (Chas.), *Our New Alaska*, New York, 1886.
- , *Peerless Alaska*, New York, 1908.
- Jackson (Sheldon), *Difficulties at Sitka in 1885*, Washington, 1886.
- Keim (De B. Randolph), *Our Alaskan Wonderland*, Harrisburg, 1898.
- McElwaine (E.), *Truth about Alaska*, Chicago, 1901.
- McKee (Lanier), *Land of Nome*, New York, 1902.
- McLain (J. S.), *Alaska and the Klondike*, New York, 1905.
- Ogilvie (Wm.), *Report of an Exploration made in 1896-1897*, London, 1898.
- Schwatka (Frederick), *A Summer in Alaska*, Philadelphia, 1891.
- Scidmore (E. R.), *Alaska*, Boston, 1885.
- Seward (Wm. H.), *Works* (ed. Geo. E. Barker), Boston, 1884.
- Stein (Robert), *Can a Nation be a Gentleman?* Washington, 1911.
- Stewart (R. L.), *Sheldon Jackson*, New York, 1908.
- Stuck (H. B.), *One Thousand Miles in a Dogsled*, New York, 1914.
- Swineford (A. P.), *Alaska*, Chicago, 1898.
- Wells (H. L.), *Alaska, the New Eldorado*, Portland, Ore., 1897.

Index

Index

- ABBOTT, MABEL: 375 ff.
- Advertising and the Klondike: 191-192
- Agriculture, Department of: 158
- Alaska Bureau of Seattle Chamber of Commerce: 382 and *footnote*, 400
- Alaska Central: 265 *footnote*, 266, 381, 400
- Alaska Club: 203, 221 *footnote*, 239 *footnote*
- Alaska Commercial Co.: lease of 1870, 46-49, 50, 54, 57 *footnote*; relation to Elliott, 63 *footnote*; attitude toward terr. gov., 63 *footnote*, 69, 70 *footnote*, 140, 153, 154; lease of 1890, 72 and *footnote*, 85-86, 92 *footnote*, 138; fur trade activities, 48; membership in, 53 *footnote*; payments to U. S., 74-75; supposed supervision, 77 and *footnote*; patronage, 84 and *footnote*; and Swineford, 89, and *footnote*, 116 and coal, 92 and *footnote*; schools supported by, 102; rivals of, 117; mail service, 132; lobby, 137, 151; use of stores in Klondike rush, 144 *footnote*; see also *Alaska Herald* and *Seals*
- Alaska Convulsion: 255 ff., 262 ff., 273
- Alaska Democratic Club of Seattle: 301 *footnote*
- Alaska Fund: change in disposition of, 181-182; Nelson changes, 232 ff.; and trade, 255; effect of fisheries rebate, 269, 337 ff.; in terr. gov. act, 388-9, 402; see also *Joker*
- Alaska Great Northern R. R.: 359 *footnote*
- Alaska Herald*: 48 *footnote*, 57 *footnote*
- Alaska Home Railway: 270-271, 306 ff.
- Alaska Home Rule Club: 367-368
- Alaska League of 1893: 136-137.
- Alaska Northern R. R.: 400
- Alaska Packers' Association: 138 *footnote*, 151, 153-154, 202, *footnote*, 337 ff., 400; see also *Fisheries* and *Salmon*
- Alaska Penal Code: see *Criminal Code*
- Alaska Peninsula: 49
- "Alaska R. R. Co.": 266 ff.
- Alaska Record*: quoted 296 *footnote*, 299, 307 *footnote*, 334
- Alaska Reynolds Development Co.: 270-271 and *footnote*, 306 ff.
- Alaska Road Commission: 24, 26
- Alaska S. S. Co.: 340
- Alaska Syndicate: and Beveridge bill, 24, 27 ff., 350 ff.; and Copper River R. R., 29, 284 and *footnote*; and elections, 30, 309 ff., 358 ff.; and Jarvis, 144 *footnote*, 372 and *footnote*; and anti-Guggenheimism, 306 ff., 334, 336; formation and holdings of, 306 ff., 339 ff., 407; and patronage, 310-311, 319, 321, 347 ff., 372; attempted salmon trust, 337; and Cunningham coal claims, 341; and bribery, 348-349, 371, 372-373; exempted from coal lease, 345; and term "district," 354 and *footnote*; and Hoggatt, 355, and Cordova coal party, 370, and LaFollette, 371; and Chugach

- reserve, 374 ff.; magazine support of, 385 *footnote*; see also *Corporation taxation* and *Wickersham*
- Alaska Territorial Club: 333
- Alaska *Times*: 40
- Alaska Traders Protective Association: 48 *footnote*
- Alaska - Yukon - Pacific Exposition: 264 *footnote*, 289, 329 ff., 355
- Alaskan Governing Board: 247 and *footnote*
- Aleutian Archipelago: 39, 49
- Aleuts: 75, 102, 240 *footnote*
- Amalgamated Copper Co.: 359
- American Citizens' Protective League: 191
- American Mining Congress: 239, 381, 400 and *footnote*
- Anderson, L. B.: 302 *footnote*
- Andrews, C. L.: 14, 420
- Annexation to Canada: 130 and *footnote*, 169, 188, 246, 247, 249, 366-367
- Anti-Guggenheimism: see *Alaska Syndicate Anti-Monopoly Association*: 48 *footnote*, 56 *footnote*
- Appropriations: for first civil government, 85 and *footnote*; for boundary commission, 88 *footnote*; for education, 102, 105-106 *footnote*; for Geological Survey, 141 *footnote*; for liquor prosecutions, 160 ff.; for coal land surveys, 182 and *footnote*; for salaries, 182 and *footnote*; of 57th Cong., 210 *footnote*; for roads, 231-232, 263 and *footnote*, 351 *footnote*; in terr. gov. act, 388 and *footnote*
- Arctic Brotherhood: 239, 329 and *footnote*, 332
- Arctic Club: 203, 367
- Arizona: effect on Alaska legislation, 234-235, 243, 249, 251, 303, 304 *footnote*, 319-320 and *footnote*
- Army: 147; see also *Roads*
- Arthur, Chester A.: 24, 73, 84, 104
- Ashley, Representative: 50, 51
- Assessment: 263
- Associations: see *Mining laws*
- BADLAM, ALEXANDER: *Wonders of Alaska*, 430
- Batch, E. S.: *Letters and Papers*, 430
- Ball, M. D.: 60-64, 65-67, 71, 72, 405-6
- Ballinger, R. A.: investigation, 17, 25, 29, 322, 335, 341, 344 and *footnote*, 347; friendship with Wickersham, 24, 319, 320; advice to Taft, 25; and Clark appointment, 321; and Dick to Dick letter, 375; resignation, 367
- Balzac vs. Porto Rico: see *Insular Cases*
- Bancroft, H. H.: 11, 421, 430
- Barnette, E. T.: 293 *footnote*
- Beardslee, Capt. L. A.: 60 ff., 102 *footnote*, 405-406
- Beatson Copper Co.: 340
- Bering, Capt.: 18, 37
- Bering River: 379 *footnote*
- Bering Sea: 37, 38, 155 and *footnote*
- Bering Straits: 254
- Berner's Bay: 172
- Berry, M. P.: 67
- Beveridge, Albert J.: resolution for visiting committee, 214 and *footnote*; submits report on Alaska, 222; circulates report on Alaska, 238 *footnote*; bill for commission, 26-32, 349 ff., 391 *footnote*; election of 1910, 359, 360, 363 and *footnote*
- Beverly, Mass.: 322-323
- Binns vs. U. S.: see *Insular Cases*
- Birch, S.: 350 *footnote*, 359-360 and *footnote*
- Bliss, G. P.: 128
- Boer War: 169, 187
- Bonanza Copper Mine: 306 ff., 340
- Booth Co.: 340

- Borah, W. E.: 14, 29, 352, 345, 349 and *footnote*
- Boundaries: 38, 88 and *footnote*, 138, 166 *footnote*, 169, 189 ff.
- Boyce, W. D.: 361, 347 ff., 372
- Brady, J. G.: aid from family, 13; commissioner, 84; alliance with Jackson, 112, 149 ff., 167-168 and *footnote*, 186, 194 ff.; Sitka interests, 112 *footnote*, 143 *footnote*, 149, 177-178; "Klondicitis," 145 *footnote*; governor, 148 ff.; and the Panhandle, 150 ff.; opposition to terr. gov., 150 ff., 196 and *footnote*, 210, 243; land policy, 158 and *footnote*; prestige at Washington, 152 ff., 177 ff., 196; license policy, 161-162; and Price, 174, 179; delegate policy, 176 and *footnote*, 178 and *footnote*, 216 *footnote*, 261; salary, 182 *footnote*; and Heid, 186, 313; and God, 240; and Roosevelt, 240; opposition to, 242 ff.; re-appointment in 1904, 244-245 and *footnote*; at Alaska Convulsion, 259 and *footnote*; and Wickersham, 270; and Hoggatt, 270 ff., 282 and *footnote*; and Reynolds, 270-271, 307 and *footnote*; Indian policy, 270 *footnote*, 282 *footnote*; Alaskan, 420; see also *Jackson and Presbyterian Church*
- Brandeis, Louis D.: 14, 376-377
- British: 75 and *footnote*; see also *Canada*
- British Columbia: 169
- Brooks, Alfred H.: 15, 119-120 and *footnote*, 141 ff., 420
- Brown, Ashmun: 14, 375 *footnote*
- Brown, E. P.: 228 and *footnote*
- Brown, Judge: 237 *footnote*
- Bruce, Miner W.: 125-126, 129 *footnote*; *Alaska*, 430
- Bryan, William J.: 369
- Burnham, Senator: 214 *footnote*, 215-216
- Butler, Senator: 63 and *footnote*, 64
- Butler, Nicholas M.: 15, 104 and *footnote*
- CABLE: 155 *footnote*, 254-255, 309-310 and *footnote*
- Cale, Thomas: campaign of 1906, 275 ff.; as delegate, 278, 281, 291 ff., 298 ff.; and Alaska Republicans, 291 *footnote*, 291-292; and Wickersham, 295, 300, 314, 334; and Hoggatt, 295 ff., 301; and Republican territorial convention of 1907, 297; and Roosevelt, 298 and *footnote*; and Sulzer, 300, 309-310, 334; and 1908 campaign, 313 ff.
- California: 53 *footnote*, 83-84, 95 *footnote*, 153-154, 203, 305
- Cameron, Senator Don: 129
- Campaigns: of 1906, 269 ff.; of 1908, 309 ff.; of 1910, 358 ff.; of 1912, 395 ff.
- Canada: immigration to from U. S., 21, 384; mining conditions in, 168-169; customs regulations in, 188 ff.; boundary, 189-190; government, 190-191, 246-247, 384; competition for Alaska trade, 203, 224, 384; press comment on terr. gov., 246-247; coal from, 366; reciprocity with, 368; see also *Annexation*
- Canadian Mounted Police: 132, 142 ff., 190 *footnote*
- Canadian Pacific: 366
- Canneries: taxation of, 150 *footnote*; and homestead act, 156 ff.; consolidation, 202, 337 ff., 406; see also *Alaska Packers Association*, *fisheries and Jarvis*
- Cannon, Joseph G.: 144 *footnote*, 252 and *footnote*, 281 and *footnote*, 299

- Capital: 177 ff., 194, 196, 401, 411; see also *Juneau* and *Sitka*
- Carey, Senator: 137
- Carpetbagism: protests against, 135, 149-150, 200, 214, 374; and partisanship, 235, 241-242 and *footnote*; and Democratic planks of 1904, 239, 245; and Hoggatt, 272 and *footnote*, 310, 322, 347-348; opposed by Fisher, 391
- Carroll, Capt.: 95 *footnote*, 126 ff., 166
- Carson, Attorney: 348-349 and *footnote*
- Carter, Representative and Senator: 127 and *footnote*, 156 and *footnote*, 174 ff., 186-187 and *footnote*, 206
- Census: 1880, 62, 71, 74, 76, 90 *footnote*; provisions of Ford bill, 124 and *footnote*; of 1900, 199 and *footnote*; of 1910, 355 and *footnote*, 356 and *footnote*
- Chamber of Commerce: of Seattle, 203, 207 ff., 252, 367, 382, 421; of Juneau, 205 *footnote*, 210 *footnote*, 212 *footnote*, 215 *footnote*; of Skagway, 206 and *footnote*; attitude toward terr. gov., 208; and Trans-Miss. Com. Cong., 210-211 and *footnote*; of Valdez, 211, 346 and *footnote*; of Nome, vote on terr. gov., 215 *footnotes*; of Tacoma, 252; in Alaska, 329 and *footnote*; of Oregon, 367; of Washington, 367; Joint Alaska Committee, 368; of west, 384
- "Cheechakos": 193 and *footnote*
- Chilberg, Joseph: 313 ff.
- Chilkats: 107
- Chinese: 111
- Chirikov: 37
- Chitina: 20, 340
- Chugach: 374 ff.
- Churchill, Frank C.: 271 and *footnote*
- Citizens' League: 214 and *footnote*, 215
- "City Provincial Government": 42-45
- Civil Code: 174 ff., 197, 206, 406
- Clark, Champ: 368
- Clark, Walter E.: policy re terr. gov., 13, 24, 299, 323, 392-393 and *footnote*, 400; appointment, 320 ff.; and Hoggatt, 320-321, 397 *footnote*; and Taft, 320 ff., 385 and *footnote*; and Alaska Syndicate, 321, 322, 323; as conciliator, 321 ff.; and Wickersham, 321 and *footnote*, 322; and Sutherland-Boyce dismissal, 348 and *footnote*, 349 and *footnote*; and election of 1910, 349 *footnote*, 360-361; and Cordova coal party, 370; and 1912 campaign, 395 ff.
- Clayton-Bulwer treaty: 169
- Cleveland, Cynthia: *See-Saw*, 430
- Cleveland, Grover: 89 and *footnote*, 104, 123 *footnote*, 135, 136-137, 210, 245 *footnote*
- Climate: 36, 37, 254-255; see also *Geography*
- Close Brothers: see *White Pass R. R. Co.*
- Clum, J. P.: 313 ff.
- Coal: according to magazines, 11; deposits of, 20-21; leasing of lands, 28, 406 ff.; according to Swineford, 92; craze, 142; land laws extended to Alaska, 182 and *footnote*, 343; discoveries by Geological survey, 253; and railroads, 264 ff., 305-6; lands withdrawn, 283-284 and *footnote*, 343-344; consolidation of claims legalized, 305, 344; protection of, 325 *footnote*; and transportation, 341 ff.; in 1910 election, 359 *footnote*; clamor for opening, 363 ff., 378 ff.; and Fisher, 381; and terr. gov. in 1912, 390 ff.; problem before 62nd Cong.,

- and 2nd Sess., 399 ff.; effect of Panama Canal upon, 408; effect of California oil upon, 408
- Coldfoot: 231
- Coolidge, L. A.: *An Old-Fashioned Senator*, 430
- Colliers: 347, 375 and *footnote*
- Commerce, Chamber of: see *Chambers of Commerce*
- Commissioners, road: see *Road*
- Communication: 253 ff., 260; see also *Telegraph and Cable*
- Congressional Record: see *Record, Congressional*
- Connecticut: 53 *footnote*, 244, 320
- Conservation: of coal, 53, 343 ff.; and terr. gov., 202, 241, 336 ff., 347, 353 ff., 363 ff., 390 ff.; of salmon, 202 *footnote*, 227 *footnote*, 268-269 and *footnote*, 337 ff.; of seals, 227 *footnote*, 337, 405; and transportation, 305, 306; and Alaska Syndicate, 334, 341 ff., 363 ff.; and politics of 1910-1912, 363 ff., 397 ff.; conservation league, 367; and Dick to Dick letter, 374 ff.; see also *Fisher and Pinchot*
- Constitution: see *Insular Cases*
- Controller Bay: 374 ff., 380, 383
- Convention: see *Democratic party, Republican party, third non-partisan, fourth non-partisan*
- Convulsions, Alaska: 255 ff.
- Cook Inlet: 20, 49, 92 and *footnote*, 253
- Copper: found by Russians, 20; craze, 142; discoveries by geological survey, 253; taxation of, 284; property of Sulzer, 290; Bonanza and Kennecott Mines, 306 ff.; holdings of Alaska Syndicate, 339-340, 406-407
- Copper River: 253 ff., 265 ff., 307
- Copper River and N. W. R. R.: 264, *footnote*, 266, 267, 340, 369, 370 *footnote*, 400
- "Coquitlan," Steamer: 216 *footnote*
- Corbus, John A.: 111-112
- Cordova: 151-152; as terminus, 306 ff.; opposed to Wickersham, 326; and terr. gov., 333, 389 *footnote*; and Alaska Syndicate, 340; burns Clark in effigy, 348; rivalry with Valdez, 351 *footnote*; election frauds, 361; coal party, 363 ff.; signs, 370; and Pinchot, 379 *footnote*; city council, 391 *footnote*; and Republican Convention of 1912, 395
- Cordova Alaskan: quoted, 377 and *footnote*, 379 *footnotes*, 380, 382 *footnote*, 389 *footnote*
- Cordova North Star: quoted, 328 *footnote*
- Corporations: opposition to elected delegate, 140, 227; backing of officials, 201; opposition to terr. gov., 201 ff., 205 *footnote*, 283 ff., 350 ff., 385 ff., 407; taxation of, 207 ff., 241; "men," 276; "rubber stamp" of, 283, 307; and anti-trust propaganda, 283 ff.; and anti-Guggenheimism, 306 ff.; control of policies and courts, 308; and 1908 campaign, 309 ff.; misleading Taft, 333; see also *Corporations by name*
- Corson, "Seattle John": 313 ff.
- Council City: 255
- Council City News: quoted, 276 and *footnote*
- Counties: 403
- Cox, J. M.: 371
- Creoles: 85-87, 92 and *footnote*, 102 ff., 105 *footnote*
- Crime: 170 and *footnote*
- Criminal Code: 159 ff., 165-166 and *footnote*, 197-198, 249 ff., 406
- Cuba: 234
- Cullum, Representative: 52, 53
- Cunningham claims: 335, 341, 343 ff., 347, 378 and *footnote*
- Curry, Charles F.: 14

- Curry, George: 13, 319-320 and *footnote*
- Cushman, Frank: work for delegate, 23, 211 ff., 230, 232 *footnote*, 261; work for roads, 232-233 and *footnote*; and memorial from Alaska convulsion, 263 *footnote*; opposition to terr. gov., 281
- Customs: Act of 1868, 47, 52, 405; receipts in 1900, 197 *footnote*; appraisers, 239-240; service organized by Jarvis, 267
- Czar: 405
- DALL, W. H.: *Alaska and Its Resources*, 11, 12, 57 *footnote*, 421, 431; figures on population, 38-39; support of Swineford, 116; Alaskana, 420
- Daly, A. J.: 368
- Davis, Fort: 371
- Davis, Gen. J. C.: 23, 35
- Dawson, N. H. R.: 104-105
- Dawson, Canada: 141 ff., 191 and *footnote*, 224, 289-290
- Dawson News: 246 and *footnote*, 247 and *footnote*, 327
- Delaney, W. K.: 209
- Delegate: movement of 1896, 138 ff.; and taxation feature of Civil Code, 198; and report of sub-committee, 226-227, 238; problem of election machinery, 229-230; bill passed, 260 ff.; terms of bill, 262 *footnote*, 407
- Democratic Party: campaign of 1888, 125 and *footnote*; of 1892, 134-135; of 1896, 150, 175; of 1900, 187-188, 205-206; of 1904, 239 and *footnote*; of 1906, 274 ff.; of 1908, 313 ff.; of 1910, 358 ff.; of 1912, 395 ff.; conventions and partisanship, 201; and citizens' league, 214 *footnote*; policy on terr. gov., 303-304, 368-9, 370 ff., 378 ff., 383, 390
- Desty, Robert: 48 *footnote*
- "Dick to Dick" letter: 374 ff.
- Dickinson, Jacob M.: 351
- Dillingham, Senator: 214 *footnote*, 215-216, 221
- Dispatch (Juneau): 205, 208, 282; quoted, 237 and *footnote*, 246 and *footnote*, 251-252, 270 *footnote*, 274 *footnote*, 275-276 and *footnote*, 282, 284 *footnote*, 289-290 and *footnote*, 291 *footnote*, 295 *footnote*, 298 *footnote*, 311-312, 314, 331, 368, 380 *footnote*, 382 *footnote*, 396, 397, *footnote*
- "District": customs, 47; land, 79, 414-415; judicial, 79, 82 and *footnote*, 235 ff., 412 ff.; title abandoned, 251; use of term, 353-4
- District of Columbia: 33, 94-95, 162
- Dodge, William S.: 45, 431
- Dolliver, Senator: 24
- Dolph, Representative: 117 *footnote*, 118, 127 *footnote*, 128
- Dorr, C. W.: 268-9, 269 *footnote*, 402 *footnote*; see also *Salmon, Rebate*
- Dorr, vs. U. S.: see *Insular Cases*
- Douglas, H. J.: 372 and *footnote*, 714
- Douglas: 171 ff., 199 and *footnote*, 198 ff., 207, 334, 348 *footnote*
- Douglas Island: 73, 75
- Douglas News: 240 and *footnote*
- Downes, vs. Bidwell: see *Insular Cases*
- Duncan, Father: 105 *footnote*
- EAGLE: 173, 180, 217 *footnote*, 224, 266
- Eaton, Commissioner of Education: 103
- Education: see *Schools and Reindeer*
- Election: of 1906, 269 ff., 276 *footnote*, 281 and *footnote*; of 1908, 309 ff., 355 ff., 385; of 1910, 30-

- 31, 357 ff., 385; of 1912, 17, 395 ff.; frauds, 372-373, 383-384
- Eliot, T. D.: 53 *footnote*
- Elliott, H. W.: aid to writer, 12; report on seals, 54 ff.; article in *Harpers*, 55; testimony, 63; relation to Al. Commercial Co., 63 *footnote*, 92 *footnote*; and Ball, 64, 69; and Swineford, 116; *Our Arctic Province*, 431
- Emmons, Lieutenant: 102 *footnote*, 237 *footnote*
- Esquimaux: 75, 109 *footnote*, 271 and *footnote*
- Executive proclamation, on coal lands: 32, 283-284 and *footnote*
- Expeditions, early: 38
- FACTIONALISM: see *Partisanship*
- Fairbanks: attitude toward Spanish acquisitions, 186-187 and *footnote*; settlement, 253 and *footnote*; land office, 263; factionalism over Wickersham, 257-258, 293-294, 293 *footnote*, 296 *footnote*, 326; objective of Alaska Central, 266; miners' platform, 276-277; papers on Hoggatt, 290; election frauds, 361; annexation to Canada, 366
- Fairbanks *News*: misquotes Hoggatt, 289-290
- Fairbanks *News-Miner*: quoted, 365
- Fairbanks *Northern Light*: questionnaire on terr. gov., 282-283
- Fairbanks *Times*: misquotes Hoggatt, 289
- Fisher, Walter I.: appointment, 367; wire to Clark, 370; permission to Miss Abbott, 375 *footnote*; trip to Alaska, 377 ff.; compromise on government, 391 and *footnote*; witness before Com. on Terr., 400
- Fisheries: attacked by Swineford, 89, 91; taxation, 91-92 and *footnote*, 135 *footnote*, 162, 181 and *footnotes*, 225 and *footnote*, 268-269, 337 ff., 401-402 and *footnote*, see *Rebate*; labor for, 92 *footnote*; development of the eighties, 120; riparian rights, see *Riparian*; and liquor smuggling, 161; land for, 145 and *footnote*, and see *Riparian*; opposition to terr. gov., see *Terr. gov.*; depletion, 283, 337 ff., 408, see *Conservation*; investigation, 202 *footnote*, 361
- Fletcher, Donald: 210
- Flood, H. D.: 368
- Ford, M. H.: 121 ff.
- Foote, Oscar: 172
- Fourth Non-Partisan Convention: 216 ff.
- Frazier, J. B.: 29
- Freight rates: see *Transportation*
- Friends, Society of: 118
- GARLAND, Senator: 82
- Garside, G. W.: 125-126 and *footnote*
- Geography: of Alaska, 36-37; effect on court system, 147 *footnote*; on history, 152-153; on third non-partisan convention, 172-173, and *footnote*; on partisanship, 200; on committee hearings, 222; on Alaska Convulsion, 255 ff.; on railroad building, 265 ff.; on 1906 election, 281 and *footnote*; on Taft's Philippine Commission idea, 330-331; on density of population, 356
- Geological Survey: 11, 73, 141 *footnote*, 253, 384 *footnote*
- George, Representative: 71
- Georgeson, Dr.: 14
- Gilman, H. E.: 14
- Gilmore, W. A.: 396 *footnote*, 398 *footnote*
- Glass, Capt. H.: 65, 102 *footnote*
- Glavis: 335
- Gold: at Juneau, 62, 66, 141 *footnote*, 406; interest of Senators in, 72-73; miners' war, 75; land dis-

- puts over, 87; in British Columbia, 88; effect on population, 126; mails to diggings, 132; discoveries in Klondike, 141 ff.; taxation of miners, 162; see also *Mining, Taxation*, and *Treadwell*
 Golder, F. A.: 11, 14, 421; *Russian Expansion*, 431
 Good, Representative: 342
 Goss, Barney: 325 *footnote*
 Government: see *Territorial government*
 Government Ownership: of telegraph and cable, 254-255; of roads and trails, see *Roads, Nelson Act*, Alaska Fund; of railroads, 268 *footnote*, 305-306, 341 ff., 371, 381, 390-391 and *footnote*; of coal lands, 283-284 and *footnote*, 341 ff., 363 ff., 380-381, 408; of oil lands, 408
 Graham, J. M.: 371-2, 376-7
 Grand Trunk: 366
 Grant, U. S.: 52 *footnote*
 Gray, Judge: 128-129
 Great War: 407
 Greek Catholic Church: see *Russian Catholic Church*
 Greeley, Maj.-Gen. A. W.: 221 and *footnote*, 254
 Grigsby, District Attorney: 237 *footnote*
 Grout, Representative: 121 *footnote*, 137-138, 176 *footnote*
 Guggenheims: see *Alaska Syndicate*
 Gulf of Alaska: 253, 264 ff.
 Gunnison, R. A.: 334

 HALLOCK, CHARLES: 431
 Hallowell, J. W.: 14
 Hamilton, Representative: 342, 350
 Hamlin, Asst. Sec. of Treas.: 139-140
 Hammond, John Hays: 25
Hampton Magazine: 30
 Hansbrough, Senator: 156 *footnote*
 Harlan, N. U.: 310-311
Harpers Magazine: 55
 Harrais, Martin: 395 *footnote*, 398 *footnotes*
 Harriman, E. H.: 166
 Harris, R. T.: 141 *footnote*
 Harrisburg: 62, 65, 66 ff., 72
 Harrison, Benjamin: 23, 76 ff., 82, 135-136
 Harriss, W. T.: 271 *footnote*
 Hasey: at Keystone Canyon, 307, 309 *footnote*; and Harlan, 310-311; trial, 348-349, 371; and Alaska Syndicate bribery, 348 *footnote*, 372, 383-384
 Hatcheries: see *Fisheries* and *Salmon*
 Hawaii: 240 and *footnote*, 249 ff., 304 *footnote*
 Hawaii vs. Mankichi: see *Insular Cases*
 Hayes, R. B.: 24, 64
 Hearings: increase in, 227-228 and *footnote*; in 60th Congress, 300 ff.; as material for campaigns of 1910, 359; on Beveridge bill, 349 ff., 384; of 62nd Congress, 371 ff., 383 ff., 399 ff.
 Heid, John G.: 186-187, 218, 239 *footnote*, 311 ff.
 Heine, Robert: 380 *footnote*
 Henley, Representative: 72 *footnote*
Herald and Presbyterian: 151
 Herron, Charles E.: 396 *footnote*
 Hierarchy: 108 ff., 167-168 and *footnote*, 194 ff., 387, 406; see also *Brady, Jackson and Presbyterian Church*
 Hilles, Charles: 395
 Hillyer, E. H.: 208 *footnote*
 Hillyer, M. C.: 84-85
 Hitchcock, E. A.: 242 *footnote*, 244, 270
 Hitchcock, Frank: 25, 312-313, 319-320, 319 *footnotes*
 Hoggatt, U. T.: 216-217, 216 *footnote*

Hoggatt, W. B.: opposition to terr. gov., 24, 287 ff., 299, 301 ff., 327-328, 350 *footnote*, 355 and *footnote*; early history, 272; beginnings as governor, 272-273; and Roosevelt, 272, 278 ff., 287; ownership of mines, 252 *footnote*, 299; and Waskey, 278 ff., 288; unpopularity, 281 ff., 290-291; and Wickersham, 294 ff., 302 and *footnote*, 318 ff., 334; Treadwell support, 296 and *footnotes*; Republican territorial convention of 1907, 297; and Cale, 301-302; and Sulzer, 301; and California delegation, 305; and Alaska Syndicate, 307-308, 355; and 1908 campaign, 311 ff.; Shackelford letter, 319-320; resignation, 320-321 and *footnote*; 1912 campaign, 395, 397; see also *Sutherland*

"Hogitalls": 358

Home rule: see *Territorial Government* and *Municipalities*

Homestead laws: see *Land*

Honcharenko, Agapius: 48

Hootch: see *Hootchinoo*

Hootchinoo: 62, 80, 88 and *footnote*, 106 ff., 106 *footnote*; see also *Liquor*

Howard, General: 57 *footnote*

Howard, Senator: 51-52

Howell, M. C.: 172

"Hubbard," R. R.: 359 *footnotes*

Humphrey, O. J.: 258 and *footnote*

Humphreys, Representative: 351 *footnote*, 371, 376

IHRIE, G. P.: 73, 84, 85

Immigration: 92 *footnote*, 109, 111-112, 126, 137, 142 ff.; see also *Population*

Incorporation: see *Municipalities*

Independent Republicans: convention and campaign of 1912, 396 ff.

Indians: treatment by Russians, 20

ff.; outbreak at Sitka, 60; conversion 72, 87; policy of U. S., 75, 79, 417; liquor, 80-81, 106 ff.; schools, 81, 87, 102 ff., 108 ff., 195; see also *Brady, Jackson, and Presbyterian*

Insane: see *Alaska Fund*

Insular Cases: 249 ff.; and delegate bill, 262, 354-355 and *footnote*

Interstate Commerce Commission; jurisdiction over Alaska, 157 and *footnote*, 354 and *footnote*

Investigation, Dept. of Int.; see *Ballinger and Pinchot*

Isham, C. H.: 136-137

Ivey, J. W.: 211-212 and *footnote*, 239 *footnote*

JACKSON, SHELDON: aid from family of, 12-13; as lobbyist, 73-74, 131 *footnote*, 148, 151; patronage influence, 84, 95 *footnote*, 96, 110, 125 *footnote*, 244-245 and *footnote*; senatorial influence, 103 and *footnote*; as general agent for education, 103 ff., 128, 132, 195; arrest, 103-104; "Shell-game," 109; estimate of, 109 ff.; relief expedition, 144 *footnote*; alliance with Brady, 149 ff., 194 ff.; indictment, 167-168 and *footnote*; investigation of, 271 and *footnote*; Alaskana, 420; *Difficulties at Sitka*, 431

Jamestown: 60, 61, 63

Jarvis, D. N.: relief expedition, 144, *footnote*, 266; work at Nome, 193 *footnote*; customs collector, 234 *footnote*, 235 *footnote*; prevents railroad subsidy, 266 ff., 308; prior history of, 266-267; and fisheries rebate, 269, 308-309; offered governorship, 272 *footnote*; unpopularity, 284 and *footnote*; and delegate bill, 309; representative of Alaska Syndicate, 339; Hasey trial, 348-349; telegram from Wicker-

- sham, 359-360, 360 *footnote*; suicide, 372 and *footnote*
- Jeffery, George: 422
- Jennings, R. W.: 395 *footnote*, 398 *footnote*
- "Jesus Christ and Co.": 112
- Johnson, Andrew: 17
- Joint Al. Committee: 368
- Joker, on fisheries: 401-402 and *footnote*
- Jones, Senator from Nevada: 133
- Jones, Wesley L.: 25, 32, 230-231, 281, 371, 383 ff.
- Jordan, D. S.: 14-15, 268-269
- Judicial ineffectiveness: 235 ff., 292, 294 and *footnote*, 297, 304-305, 412 ff.
- Julian, George W.: 52-53
- Juneau, Joe: 141 *footnote*
- Juneau: founding, 62, 141 *footnote*; desire for an election, 94; school at, 102; attitude toward hierarchy, 112, 194 ff.; desire for capital, 112 and *footnote*, 167-168 and *footnote*, 177 ff., 194, 196, 272-273; and liquor conditions, 107-108 and *footnote*, 118, 199 and *footnote*, 200 and *footnote*; convention of 1890, 126 ff.; convention of 1894, 134, *footnote*; attitude toward terr. gov., 135, 207 ff., 378-379; incorporation, 170 and *footnote*, 180-181, 198 ff.; third non-partisan convention, 171 ff.; Chamber of Commerce, 172 *footnote*, 205 *footnote*, 210 *footnote*, 212 *footnote*; population in 1900, 199 and *footnote*; business conditions, 207 ff.; fourth non-partisan convention, 216 ff.; and Swineford, 258 *footnote*, 277 *footnote*; displaced in politics, 276 *footnote*, 298; and Wickersham, 317, 326, 334
- Juneau *Dispatch*: see *Dispatch*
- Juneau *Record*: see *Record*
- Juneau *Record-Miner*: see *Record-Miner*
- Miner*
- Junkets: 214 ff., 393 and *footnote*; see also *Sub-committee*, *Fisher*, *Pinchot* and *Poindexter*
- KATALLA: coal at, 20; railroad companies, 266; Al. Syndicate experiments, 306, 340; coal party, 370 *footnote*; and Pinchot, 379 *footnote*, 380
- Katalla *Herald*: quoted, 321
- Katchemak: 21
- Kean, Senator: 252
- Keatley, Judge: 130-131, 137
- Keim, De B. Randolph: 431
- Kennecott, copper mines: 306 ff.
- Ketchikan: relations with Sitka, 168; demand for incorporation, 170; Chamber of Commerce, 206; delegate to fourth non-partisan convention, 217-218; population, 226 *footnote*; and Republican Convention of 1908, 312, 314; and Wickersham, 320
- Ketchikan *Miner*: quoted, 320, 329
- Ketchikan *Mining Journal*: quoted, 231 and *footnote*, 235 and *footnote*
- Keystone Canyon: 307, 347 ff.
- Kibbey, Governor: 319 and *footnote*, 320
- Kilgore, Representative: 127-128
- Kinkead, Governor: 42-45, 61, 84, 86 ff.
- "Klondicitis": 141 ff.
- Klondike: effect on legislation, 86 406; Miner's Code in, 120, 141 ff.; boom, 141 ff.; Americans in, 168; political effects of, 182-183; and boundary dispute, 189
- Knapp, Lyman E.: 93 ff., 110 *footnote*, 112 *footnote*
- Kilgore, Representative: 127-128
- Knox, P. C.: 320-321
- Knox, Representative: 206 *footnote*
- Kodiak: 39

- Krauczunas, Candidate for delegate:
396 *footnote*, 398 *footnote*
- Kuskokwim: 21
- Kutchin, H. M.: 202 *footnote*
- LABOR: 111-112, 111 *footnote*
- Lacey, Representative: 156 and *footnote*, 175 *footnote*, 182 *footnote*, 234 *footnote*
- LaFollette, Robert M.: 349, 371, 375
- Lake Bennett: 142
- Lamar, L. Q. C.: 103, 104
- Land: agitation for laws, 62-63, 65-66, 71; according to Organic Act, 78 and *footnote*, 79-80 and *footnote*, 414-415; prospectors' disputes, 87; Swineford policy, 91 and *footnote*, 115-116; and timber, 98 and *footnote*, 133 and *footnote*; bills for laws, 115 ff.; policy of O. H. Platt, 117; provisions in Ford bill, 121 ff.; policy of Bruce, 129 *footnote*; of Carroll, 131; offices at time of Klondike, 145 and *footnote*; according to Homestead Act, 154 ff.; title in municipalities, 199-200; see also *Timber Culture Act*, *Government Ownership and Railroads*
- Lathrop, John E.: 380 *footnote*
- Leasing: see *Government Ownership, Coal, Railroads, Oil, Copper, Seals*
- Legare, Representative: 404
- Leslie's Weekly*: 380 *footnote*
- Lewis and Clark Exposition: 252
- License: see *Taxation*
- Liquor: in Organic Act, 80-81, 417; illicit traffic, 88 and *footnote*, 93 and *footnote*, 96-97, 98-99, 106 ff.; Dolph bill, 118-119 and *footnote*; smuggling by corporations, 130; by steamship captains, 132 *footnote*, from Canada, 160 *footnote*, 160 ff.; cargoes to Klondike, 144 *footnote*; effect on criminal code, 159 ff.; and U. S. officials, 161; see also *Saloons and Taxation*
- Liscum, Fort: 371
- Lodge, H. C.: 261, 349 *footnote*
- Los Angeles: 332
- Loud, Representative: 156 *footnote*, 181 and *footnotes*
- Louisiana: 146
- Lynn Canal: 142, 158, 188
- MAILS: 87 and *footnote*, 91 and *footnote*, 131-132 and *footnote*, 170
- Manderson, Senator: 121 *footnote*, 128
- Manley, Frank: 294 *footnote*
- Mann, James R.: 376, 401-402 and *footnote*
- Marquam, Candidate: 218-219, 239 *footnote*
- Matanuska: 20, 379 *footnote*
- McAllister, Ward: 83, 84
- McBride, Senator: 156, 165
- McDonald, Joseph: 207 ff., 280 *footnote*
- McElwaine, E.: 431
- McKinley, William: 24, 146, 148, 167, 178, 245 *footnote*
- McLain, J. S.: 215 *footnote*, 230, 424; *Land of Nome*, 431
- Mellen, H. W.: 274 *footnote*
- Millard, B. F.: 217 *footnote*
- Miller, John F.: 53 *footnote*, 69, 72, 74 *footnote*, 84, 128
- Mine-owners: alliance with hierarchy, 108 ff.; attitude toward elected delegate, 139-140, lobby, 175; opposition to municipal incorporation, 210; influence over Junketers, 215, 223, 225-226; see also *Mining laws and Taxation*
- Miners: war, 75; before sub-committee, 222-223; use of proxies, 256; in election of 1906, 269, *footnote*, 274 ff., 300; in election of 1908, 313, 316
- Mining Journal*: quoted, 243 *footnote*
- Mining laws: 62, 75; according to organic act, 79-80 and *footnote*,

- 94 *footnote*, 97-98; use of Miners Code, 119-120 and *footnote*, 225 *footnote*; lobbyists for, 135 *footnote*; effect of Klondike, 141 ff.; stamp tax, 181; fraudulent locations, 192 and *footnotes*; urged by Alaska Convulsion, 259-260 and *footnote*; democratization of, 263-264, 273 ff., 343 ff., 387; and Waskey *vs.* Hoggatt, 279 ff.; see also *Power of Attorney*
- Missions: 75, 79, 102 ff., 107, 108 ff.; see also *Presbyterian Church and Hierarchy*
- Mitchell, Senator: 127 *footnote*
- Modus vivendi*: with Great Britain, 189-190
- Mondell, Frank W.: 345 ff., 364, 376
- Monopoly: as impulse toward home rule, 201 ff.; of canning, 202; of steamship business, 202-203; of Alaska business by Seattle, 203-204; lobby of 204, 208; opposed to home rule, see *Alaska Syndicate and Corporations*
- Morgan: see *Alaska Syndicate*
- Morris, William G.: 56-57
- Morrison, H. A.: 14, 421-422
- Morrissey, M. B.: 348 *footnote*
- Moser, Capt. J. F.: 138 *footnote*
- Mount Katmai: 365-366
- "Muckrakeitis": 364-365
- Muir, John: 127
- Municipalities: incorporation of, 94, 96, 170, 180-181, 182, 193, 196, 197 ff.; indebtedness, 181, 182, 193; population of in 1900, 199 and *footnote*; increase in home rule, 213-214 and *footnote*, 233-234 and *footnote*, 293 *footnote*
- Murane, C. D.: 274 *footnote*, 297 *footnote*
- Murphy, T. J.: 22
- NAGEL, Secretary of Commerce and Labor: 360-361
- National Irrigation Congress: 382
- National Peace Congress: 367
- Natives: treatment by Russian-American Co., 19-20; classification of, 40; Sitka outbreak, 40; as fur traders, 48-49; Swineford policy, 92-93 and *footnote*; as police, 93 and *footnote*; education of, 102 ff., 108 ff.; and liquor, 106 ff.; in Treadwell mines, 111-112; recent problems of, 227 *footnote*; service of Presbyterian Church, 271 and *footnote*; and Rowe, 400; see also *Brady, Hierarchy, Jackson, Presbyterian Church and Schools*
- Navigation: see *Transportation*
- Nelson, Knute: 14; visit to Alaska, 214 *footnote*, 215 *footnote*, 216, 223; bills, 230 and *footnote*, 232 *footnote*, 243-244, 261, 325, 344 and *footnote*; and Jarvis, 284 *footnote*; and Wickersham, 234 *footnote*, 293-294 and *footnote*, 315, 318 and *footnote*, 389-390; and Sutherland, 349 *footnote*; see also *Beveridge, Alaska Fund, Nelson Act*
- Nelson Act: 231 ff., 255, 263 and *footnote*; see also *Alaska Fund*
- Nenana: 253 *footnote*
- Nevada: 84, 86
- New, Harry S.: 14
- New England: 153, 157-158
- New Mexico: effect on Alaska legislation, 234-235, 243, 249, 251, 303, 304 *footnote*, 319-320, 319 *footnote*
- Newark News: 380 *footnote*
- Newspapers: prior to Klondike, 101; propaganda against Hoggatt, 288; propaganda for terr. gov., 289 ff.; in election of 1910, 359-360; bibliography of, 425 ff.
- New York City: 178-179
- New York Sun: 320
- Nichols, Capt.: 84 and *footnote*
- Noble, Sec. of the Int.: 129-130

- Nome: Russian at, 20; and Klondike boom, 141 ff.; region of, 152; claims dispute, 179, 191, 192 *footnote*; court established at, 180; gold rush to, 191 ff.; lobby for, 193; population in 1900, 199 and *footnote*; incorporation, 193, 198 ff.; attitude toward terr. gov., 204 ff., 211, 215 *footnotes*, 226; governor at, 273; decline of placers, 253; land office, 263; and election of 1906, 274 ff.; newspapers, 290
- Nome *Gold Digger*: quoted, 256 *footnote*
- Nome *Nugget*: quoted, 240 and *footnote*, 243 *footnote*
- Norris, George W.: 25
- Northern Commercial Company: 256
- Northwest Development Company: 340
- Northwest Fisheries Company: 267, 337 ff.
- Northwest Lighterage Company: 340
- Northwest Steamship Company: 267, 340
- Northwestern Commercial Company: 154 *footnote*, 340, 372
- Northwestern Railroad Company: 340
- Northwestern Trading Company: 117
- Norton Sound: 142
- Nowell, T. S.: 134 *footnote*, 140 *footnote*, 280 *footnote*
- Nye, R. V.: 258 *footnote*
- O'Connor, Candidate for Delegate: 358 ff.
- Ogilvie, William: 143 *footnote*, 431
- Oil: 142, 408
- Oklahoma: 234-235, 243, 249, 251
- "Old Roman": see *Delaney*
- Orchard, Lieutenant: 389 and *footnote*
- Oregon: Code, 49, 77-78 and *footnote*, 123 and *footnote*, 147-148, 414; legislature, 85, 367; competition for Alaska trade, 143 *footnote*, 203; Chambers of Commerce, 367
- Organic Act of 1884: 49, 71 ff.; constitutionality of, 81-82; criticism by officials, 86 ff, 121 ff, 406; proposal for amendment, 95 ff., 146 ff.; criticism by convention of 1890; terms, as to capital, 411, executive provisions, 411-412, judicial provisions, 412 ff., application of Oregon laws, 414; land district, 414-415; fees and salaries, 415-416; public buildings, 416-417; U. S. laws, 417; Indians, 417; schools, 417; liquor, 417
- Orr, Edward S.: 358 ff.
- Overman, Lee S.: 349 *footnote*
- PACIFIC COAST: 143 *footnote*, 152 and *footnote*, 153, 179
- Pacific Coast Steamship Co.: 95 *footnote*, 127, 216 *footnote*, 252, 254, 341
- Page, H. F.: 67
- Panhandle: geography of, 37; education, 106; public opinion in, 101 ff.; attitude toward terr. gov., 119-120, 174, 177 and *footnote*, 204 ff., 215 *footnote*, 226, 328, 405-406; desire to be cut off from north, 124 and *footnote*, 205 and *footnote*, 226; changes in population, 126, 170, 192-193, 199 and *footnote*, 356; desire to be annexed to Washington, 135 and *footnote*; opinion of Brady, 150 ff., 194 ff., 244; cooperation in, 166, 171 ff.; protest against civil code, 197-198; new forces in, 204; communication with, 254-255; loss of political ascendancy, 256-257 and *footnote*; and 1906 election, 273 ff.; and Republican convention of 1907, 296 and *footnote*; and Hoggatt, 312 *footnote*; and Hasey trial, 348

- Partisanship: effect on move for terr. gov., 200-201, 241, 356-357, 404-405; encouraged by Senatorial junket, 216, 234, 235 ff.; at Alaska Convulsion, 257 ff.; and election of 1906, 273 ff.; at Republican territorial convention of 1907, 298; and Clark appointment, 321 ff.; over Wickersham, 334; at Democratic Convention of 1912, 395; see *Patronage*
- Patronage: in 1884, 83-84 and *footnote*; in 1889, 95 *footnote*; and Jackson, 110, see *Jackson*; misuse of, 111; in Platt bill, 136-137; and partisanship, 200-201, 235 ff.; monopolized by Washington, 204; and citizens league, 215; at Republican territorial convention of 1903, 218-219; at St. Louis exposition, 244; under Roosevelt, 261 and *footnote*, see also *Wickersham*; increase in, 292; and Fourth Division bill, 300 *footnote*; and Cale, 310-311 and *footnote*; in election of 1908, 311-312; and Wickersham, 317 ff.; and 1912 campaign, 395, 397 *footnote*
- Patterson, T. M.: 214 *footnote*, 223, 226 *footnote*
- Pennsylvania: 84-85, 95 *footnote*, 201 *footnote*, 283-284 and *footnote*
- Perkins, George C.: 95 *footnote*, 156 and *footnote*, 160, 178 and *footnote*, 194, 254
- Perkins, Representative: 138 ff., 194
- Perkins, W. T.: 258 *footnote*, 296 *footnote*, 297 *footnote*
- Petroff, Ivan: 62, 69
- Philadelphia *North American*: 375
- Philippines: and Republican platform of 1900, 186-187 and *footnote*; exchange for British Columbia, 188-189 and *footnote*; effect on Alaska legislation, 240 and *footnote*; and Insular cases, 249 ff.; commission plans, 24, 26, 31-32, 34, 213, 322, 329 ff., 349 ff., 353; see also *Beveridge*
- Piles, Senator: 29, 263, 281, 332
- Pinchot, Gifford: and Ballinger, 17, 29, 335; burned in effigy, 369, 370 *footnote*; trip to Alaska, 378 ff., 393; as witness, 400
- Pioneers: 356
- Placer mining: 169, 247, 399; see also *Mining laws* and *Wickersham policy*
- Platt, O. H.: 14; territorial policy, 117, 133, 230 and *footnote*, 243-244, 354; bill, 136-137; liquor policy, 160; quoted, 179; death, 261
- Poindexter, Miles: 23, 371, 376, 378, 379 *footnote*
- Police: 143 ff., 170; see also *Canadian Mounted Police* and *Natives*
- Population: in 1867, 38; according to Seward, 44; in 1886, 62 *footnote*, 87; in 1896, 96 and *footnote*; migratory character of population, 97 and *footnote*; attitude of Congress towards, 121; increased by gold and salmon, 126; movement in Klondike, 142 ff., 142 *footnote*, 159; Brady's estimate, 150, 176, 243-244, 243 *footnote*; instability of gold population, 175-176, 253 ff.; effect of Nome stampede, 192-193; in 1900, 199; estimate of McDonald, 200 ff.; of third judicial division, 292; and terr. gov., 302-303, 384; in 1910, 355 and *footnote*; see also *Estimates of Clark, Dall, Hoggatt, McDonald, and Wickersham*
- Porcupine: 169, 189-190
- Portland, Oregon: 252
- Portland, *Journal*: 375, 380 *footnote*
- Porto Rico: effect on status of Alaska, 186-187 and *footnote*, 213, 234, 239, 240 and *footnote*, 249 ff., 313 *footnote*

- Post Intelligencer*: quoted, 259 *footnote*, 384; propaganda against Hoggatt, 282, 289-290; and Walter Clark, 299, 320; and Wickersham, 389-390
- Power of attorney: 192 and *footnotes*, 225 and *footnote*, 345-346
- Presbyterian Church: missions, 73, 74; patronage, 84, 95 *footnote*, 96, 195-196, 244-245 and *footnote*; employment of Jackson, 103; industrial school, 112 *footnote*; opposition to high license, 118; opposition to criminal code, 160; Synod excursion, 166; home at Sitka, 167-168; downfall of Alaska hierarchy, 194 ff.; summary of services to Alaska, 271 and *footnote*
- Pribilof Islands: 337
- Price, J. B.: 13; delegate, 171 ff.; return to Alaska, 185 ff.; advocacy of terr. gov., 185-186; estimate of hierarchy, 196; at 1903 Trans-Mississippi Commercial Congress, 216 *footnote*; at Alaska Convulsion, 257; Alaskana, 421
- Primaries: 296 and *footnote*
- Prince William Sound: 20, 153, 253
- Progressive Movement: 335 ff., 363 ff., 370; see also *Fisher, Independent Republicans, Pinchot*
- Prohibition: see *Dolph, Hootch, Liquor, Presbyterian Church, Prostitution*
- Prospector* (Valdez): quoted, 288 *footnote*, 308, 310, 311 *footnote*, 314, 316 *footnote*, 318, 346 and *footnote*, 369 *footnote*
- Prospectors: 108 ff., 222-223, 229-230, 356
- Prostitution: 161
- Proxies: and modest miners, 256; at Seattle, 259; in 1906 campaign, 274 *footnote*; at Republican territorial convention of 1907, 295 ff., 296 *footnote*; at Republican territorial convention of 1908, 312 *footnote*; at Republican territorial convention of 1912, 396 *footnote*
- Publicity League: 380
- Puget Sound: 142, 204
- Purchase: of Alaska by U. S., 21-22, 38; of Alaska by Carroll, 129-130; of Alaska by Canada, 130 and *footnote*
- QUAY, MATTHEW: 201 *footnote*
- Queen, The: 127
- RACE PREJUDICE: 102 ff.
- Railroads: early legislation, 154 ff., 265; policy of British Columbia, 155 *footnote*; taxation, 162, 265 and *footnote*, 305-306, 388; treatment by 59th Cong., 264 ff.; and coal, 264 ff., 284, 305-306, 341-342, 363 ff.; effect of climate on, 265 ff.; and the "wrongs of the people of Alaska," 265; government construction, 268 *footnote*, 390-391 and *footnote*; and conservation, 305-306; and Alaska Syndicate monopoly, 266-267, 308; government guaranteed bonds, 331, 332, 342-343, 365 *footnote*; problem before 62nd Cong., 399 ff.; railroad commission, 400-401 and *footnote*
- "Railroading Alaska Politics:" 287 ff.
- Rasmussen vs. U. S.: see *Insular Cases*.
- Ray, Capt.: 144 *footnote*, 147, 170 *footnote*, 179 *footnote*
- Rebate of 1906: 268-269 and *footnote*, 338; see also *Dorr and Jarvis*
- Record, Congressional*: 138, 263, 346, 376, 405
- Record-Miner*: quoted, 236 and *footnote*, 241 *footnote*, 280 *footnote*,

- 282 *footnote*, 283 *footnote*, 284 *footnote*, 288
- Reed, Thomas B.: 127, 129
- Reindeer: 109 *footnote*, 144 *footnote*, 167, 168 *footnote*, 195; see *Jack-son and Natives*
- Relief expeditions: 143-144 and *foot-note*, 260
- Republican party: split, 17, 25, 29-30; convention of 1889, 125 and *footnote*; campaign of 1892, 134, 135 *footnote*; of 1896, 150, 175; of 1900, 186-187 and *footnote*; and Young Men's Club, 187; conventions and partisanship, 201; convention of 1903, 218-219; campaign of 1906, 274 ff.; convention of 1907, 291-292, 295 ff., 300, 311 and *footnote*; campaign of 1908, 311 ff.; campaign of 1910, 358 ff.; campaign of 1912, 395 ff.
- Resources: 201 ff., 202, 223-224, 336 ff., 386-7, 406 ff.
- Reynolds, H. B.: 270-271, 306 ff., 387-388
- Richardson, Wilds P.: 13, 26 ff., 264, 350 *footnote*, 350-351, 398 *foot-note*
- Riggs, Thomas, Jr.: 13
- Riggs National Bank: 129
- Riparian rights: 124 and *footnote*, 157-158, 371, 383-384
- Ripinsky, Sol: 174
- Roads: to British Columbia, 88 and *footnote*; for mails, 91 and *foot-note*; in report of sub-committee, 224; in Yukon Territory, 224; urged by Nelson, 231 ff.; and Alaska Fund, 232 ff., 238 and *footnote*, 255; road appropriations, 351 *footnote*; see *Alaska Fund, Nelson and Valdez*
- Railroad Commission: 389 and *foot-note*
- "Roll of Honor": 396 *footnote*
- Ronan, John: 313 ff.
- Roosevelt, Theodore: friendship with Taft, 17; support of Cushman, 23, 214 and *footnote*, 261; messages re Alaska, 24, 221, 237 and *footnote*, 298-299, 301, 317; and Ballinger investigation, 29; appointment of rough riders, 201; recommendations for delegates, 212, 213 *footnote*; visit to Seattle, 214 and *footnote*; his special investigators, 237 and *footnote*, 270; relations with Brady, 240, 244, 245 *footnote*, 271 and *footnote*; relations with Wickersham, 237-238, 237 *footnote*, 261 *footnote*, 293-294 and *footnote*, 317, 318, 335; and Valdez, 213 *footnote*, 246-247, 249; and Alaska Convulsion, 258; attempts to understand Alaska, 261; and Alaska Railroads, 264; and Jarvis, 267, 272 *footnote*; and Waskey, 278 ff.; and Hoggatt, 278 ff., 287, 288 *footnote*, 294 *footnote*; coal land withdrawal, 283-284 and *footnote*, 343-344; and Cale, 291, 298 and *footnotes*; and Republican territorial convention of 1907, 297; trust psychology, 309; and Republican national convention of 1908, 312-313; and Walter Clark, 320-321; use of term "territory," 354; Progressive movement, 335, 363 ff., 396
- "Roughnecks:" 360
- Rowe, Bishop, P. T.: 103, 361, 400
- Russia: 18-22, 33, 75, 86, 87, 102 and *footnote*, 189
- Russian-American Company: 18-22, 38, 40, 41
- Russian Catholic Church: 102, 103 ff., 150 *footnote*, 167
- Russians: 51, 72, 251
- Rustgard, John: 225 *footnote*
- Ryan, Richard: 257 ff., 297 *footnote*, 375 ff.

- SAINT LOUIS EXPOSITION: 244 and *footnote*
- Saint Michael: 142, 144
- Salmon: 21; effect on population, 126, 406; depletion of, 138 and *footnote*, 408; lobby, 140, *footnote*; taxation of output, 162; consolidation of business, 202, 308-309; conservation, 202 *footnote*; see also *Canneries and Fisheries*
- Saloon: at Juneau, 199 and *footnote*, 200 and *footnote*; support of terr. gov., 280, 282, 319, 326 ff., 334, 356; restrictions on, in Oct. of 1912, 387, 402
- San Francisco: 67 *footnote*, 69, 148 *footnote*, 273, 305 and *footnote*, 332, 366
- Schools: Jackson's campaign for, 73-74, 102 ff.; supported by Russia, 75; provision for, by Organic Act, 76, 81, 102 ff., 108 ff., 417; for Indians, 81, 195, 233 *footnote*; Sheakley's opinions on, 96; for whites, 102 ff., 232-233; and Jackson's indictment, 167-168; for "reindeer," 195; provisions for, in Civil Code, 181-182, 196, 197, in Act of 1912, 387; see also *Jackson, Natives, and Presbyterian Church*
- Schwatka, Frederick: expedition, 128 and *footnote*; *A Summer in Alaska*, 431
- Scidmore, E. R.: *Alaska*, 431
- Scranton, Representative: 138-139
- Scrip, soldiers' additional: 158 and *footnote*
- Seals: lease of 1870, 46 ff., 138, 405; and Ashley bill, 50-51; and Culom bill, 52; income from lease of, 139 *footnote*; lobby, 140 *footnote*; conservation of, 227 *footnote*; monopoly of, 337; investigation, 361; taxation of industry, 402
- Seattle: lobby, 143 *footnote*, 157 *footnote*; totem pole expedition of, 166; monopoly of Alaska business, 203-204 and *footnote*; Chamber of Commerce, 207, 252, 367, 400, 421; influence over Alaska politics, 255 ff., and Alaska Convulsion, 256 *footnote*; and Republican convention, 312 *footnote*; and Corson, 313; and Wickersham, 317-318 and *footnote*, 335; Taft's visit to, 329 ff.; and Square Deal League, 382 and *footnote*
- Seattle-Alaskans: 201, 273-274 and *footnote*
- Sesson, J. G.: 372
- Seward, (town of): 266, 366, 370, 379 *footnote*
- Seward, (peninsula): 152, 191 ff., 199, 204, 253, 256 ff.
- Seward, W. H.: 22, 35-36, 44 ff., 431
- Seward Gateway: quoted, 274 *footnote*, 283 *footnote*, 335
- Shackleford, L. P.: Treadwell employee, 296 *footnote*; supporter of Hoggatt, 296 *footnote*, 319-320 and *footnote*; at convention of 1908, 311 ff.; and Wickersham, 318 ff.; and Alaska Syndicate, 319 ff.; patronage affairs of, 322, 334, 335, 347 ff.; in election of 1910, 358, 360; of 1912, 395 ff.
- Shaforth, John: 266
- Shea, Secretary: 319, 334
- Sheakley, James: compared with Swineford, 93; appointment, 95-96 and *footnote*, 245 *footnote*; interpretation of Organic Act, 95 ff.; as Commissioner at Wrangel, 105 *footnote*; and Sitka, 112 *footnote*; attitude toward delegate, 139; after governorship, 148 and *footnote*
- Sheldon, Charles: 14
- Sheppard, Morris: 371
- Sherman, John: 56, 63, 86
- Shoreham: 127

- Shoup, J. M.: 274 *footnote*, 277
- Signal Corps: 254, 255
- Silver Bay: 61
- Sitka: occupation of, 35, 39-40; seat of Russian government, 38; first American government at, 22-23, 40 ff., 59; exodus from, 41; delegates to Harrisburg convention, 66; as capital, 79, 112; schools, 102 ff. and *footnotes*, 104 *footnotes*; how to reach in 80's, 120; mails, 132; press attitude toward terr. gov., 135; land office at, 145; and Brady, 149 ff.; as home of hierarchy, 167-168, 177 ff.; and non-partisan convention, 173 *footnote*; population in 1900, 199 *footnote*; incorporation, 198 ff.; refusal to support Skagway, 207; "nuisance," 242; records moved from, 421
- Sitka *Alaskan*: 112, 165, 282, *footnote*
- Skagway: at time of Klondike, 142, 144 and *footnote*; and White Pass R. R., 159; Chamber of Commerce demands, 166, 171 ff., 206 and *footnote*; and Canada, 169, 188 ff.; need for incorporation, 170, 180-181, 198 ff.; population of, 199 and *footnote*, 226 *footnote*; attitude toward terr. gov., 204 ff., 206; business conditions in, 208 ff., 226 *footnote*; delegates to fourth non-partisan convention, 216 ff.; opposition to Hoggatt, 296 *footnote*
- Skagway *Alaskan*: quoted, 240 and *footnote*, 242 and *footnotes*, 246, 274 *footnote*, 289 *footnote*, 313 *footnote*
- Sloss, Louis: 12, 153-154
- Smelters: 341
- Smith, "Soapy": 144 *footnote*
- Smith, William A.: 32, 368-369 and *footnote*
- Smuggling: see *Liquor*
- Smythe, William F.: 380 *footnote*
- Socialists: 396 *footnote*, 398 *footnote*
- "Sourdoughs": 193 and *footnote*, 329-330
- Spain: 143, 186-187, 213, 234, 249 ff.
- Spooner, Senator: 299
- Square Deal League: 382 and *footnote*
- Starkweather, Representative: 52
- Steamboats: 44 and *footnote*; see *Transportation*
- Steele, John N.: 13, 339-340, 350 *footnote*
- Stein, Robert: 367 and *footnote*, 431
- Stewart, R. L.: *Sheldon Jackson*, 431
- Streets: 170
- Strong, J. F. A.: 13, 358
- Stuck, Archdeacon, H. B.: *One Thousand Miles on a Dogsled*, 431
- Sub-Committee: 221 ff., 238 ff.
- Subsidy: 264 ff.
- Suffrage: 262 *footnote*, 401
- Sulzer, William: bills for terr. gov., 212, 230-231, 252 *footnote*, 281 *footnote*, 300; and Hoggatt, 290, 301; copper mines, 290; testimony for terr. gov., 300-301, 367 *footnote*, 402 *footnote*; and Cale, 300, 309-310
- "Summer blues": 246
- Sumner, Charles: 22, 36, 189 *footnote*
- Sumptuary laws: see *Saloon element*
- Supreme Court: 262, 249 ff.
- Supreme Court decisions re Alaska: 249 ff.
- Susitna: 21, 253 ff., 265 ff.
- Sutherland, Dan: 13; as marshal, 347 ff.; relations with Hoggatt, 348-349 and *footnote*; in campaign of 1910, 359, 361; and Boyce, 372; not candidate in 1912, 396
- Swineford, A. P.: 13; appointment, 88-89 and *footnote*; interpretation of Organic Act, 89-93, 110 *footnote*, opposition to Alaska

- Commercial Co., 89 ff.; desire for land title, 115-116, apostle of terr. gov., 89-91, 123 *footnote*, 124, 125 *footnote*, 173-174, and *footnote*, 205 *footnote*, 209, 210, 216 *footnotes*, 260 and *footnote*, 282; feud with Jackson, 95 *footnote*, 103 ff., 167-168; and Chinese riots, 111 *footnote*; and Alaska Convulsion, 257 ff.; and Juneau, 258 *footnote*, 277 *footnote*; in campaign of 1906, 273 ff.; Alaskana, 421; *Alaska*, 431 ff., 401-402 and *footnote*; and corporations, 153-154, 202; provisions of Criminal Code, 159 ff., 249 ff.; as related to terr. gov. movement, 163, 197-198, 207 ff., 226, 279-280, 290, 301, 302-303 and *footnote*, 328, 353, 385-386 and *footnote*, 407; "without representation," 165 ff., 197-198; provisions of Civil Code, 181-182; as related to municipal home rule, 213-214 and *footnote*; and use of license funds, 232 ff.; and copper trust, 284; and conservation, 305-306; of railroads, 162, 328, 353, 388, 401
- TACOMA: 252
- Taft, Charles P.: 375 ff.
- Taft, William H.: and Roosevelt, 17 ff., opposition to terr. gov., 24 ff., 213, 322, 323, 329 ff., 349 ff.; railroad policy, 264, 331 ff., 342-343; and Republican territorial convention of 1907, 311 f.; and Wickersham, 319, 328 ff., 335, 349 *footnote*, 377 and *footnote*, 385, 389-390; patronage policy, 320 ff., 347 *footnote*, 347-348; Seattle visit, 329 and *footnote*, 332; not a pioneer, 331 ff.; and Gov. Clark, 349 and *footnote*, 385 and *footnote*; and "muckrakeritis," 364-365; and 62nd Cong., 368 ff.; and Chugach forest reserve, 374 ff.; sends Fisher to Alaska, 377 and *footnote*; special message, 390-391; and Cordova, 391 *footnote*; and Alaskan Republicans of 1912, 395-396
- Tanana: 253 ff.
- Tanana Mines R. R.: 281 *footnote*
- Tanana Tribune: quoted, 294, *footnote*
- Tawney, Representative: 258, 299
- Taxation: at Sitka, 40 ff.; in Organic Act, 76; and schools, 81; proposed by Kinkaid, 88; of mines, 150; of fisheries, 91-92 and *footnote*, 150 and *footnote*, 162, 225 and *footnote*, 268-269, 337
- ff., 401-402 and *footnote*; and corporations, 153-154, 202; provisions of Criminal Code, 159 ff., 249 ff.; as related to terr. gov. movement, 163, 197-198, 207 ff., 226, 279-280, 290, 301, 302-303 and *footnote*, 328, 353, 385-386 and *footnote*, 407; "without representation," 165 ff., 197-198; provisions of Civil Code, 181-182; as related to municipal home rule, 213-214 and *footnote*; and use of license funds, 232 ff.; and copper trust, 284; and conservation, 305-306; of railroads, 162, 328, 353, 388, 401
- Telegraph: 254-255
- Territorial Club: 207 ff. and *footnote*, 214 and *footnote*
- Territorial Government: Ford bill for, 121 ff.; Price's position on, 174 ff., 185-186; advocated by territorial politicians, 187-188; changes in public sentiment regarding, 197 ff., 245 ff., 280, 356-357 and *footnote*, 384-385, 393; as treated by fourth non-partisan convention, 204 ff.; as affected by taxation, 198, 207 ff., 328, 385-386 and *footnote*; as affected by fisheries, 208, 269, 337 ff.; as treated in report of subcommittee, 225-226 and *footnote*, 238; opposed by Wickersham in 1904, 230; in 1907, 302 *footnote*, 334; after Canadian plan, 246-247; treatment of terr. gov. by Alaskan Convulsion 255 ff.; questionnaire on, 205, 208, 282-283 and *footnote*; as campaign issue in 1906, 275 ff.; in 1908, 312 ff., 385; in 1910, 358 ff., 385; in 1912, 395 ff.; opposition of corporations to, 283 ff., 306 ff., 385 ff., 407; in relation to coal, 283-284 and *footnote*

- note*, 390 ff.; in relation to Wickersham's resignation, 294 ff.; attitude towards, of 60th Cong., 299 ff.; of 62nd Cong., 383 ff., 399 ff.; Cale policy on, 300 ff., 309-310; and Alaska Syndicate, 306 ff., 309; effect on Arctic brotherhood, 332; connection with Progressive movement, 335 ff., 363 ff.; connection with conservation, 335 ff., 347, 363 ff., 390 ff.; and Beveridge bill, 349 ff.; and Pinchot's visit, 377 ff.; and Fisher, 377 ff., 381; in relation to mining, 387; in relation to transportation, 390 ff.; Act of 1912, 399 ff.; see also *Alaska Syndicate*, *Brady*, *Clark*, *Hoggatt*, *Roosevelt*, *Sulzer*, *Taft*, *Wickersham*
- Territories; incorporated and unincorporated: see *Insular Cases*
- "Territory" as official designation: 354-355
- Third house: 151-152, 211-212, 304
- Third non-partisan convention: 171
- Thurber, F. B.: 210
- Timber: regulations, 98 and *footnote*; Act for Culture of, 117, 125-126, 130, 133 and *footnote*; provisions of Ford bill, 124 and *footnote*; prosecutions for cutting, 130
- Tin: 253
- Tingle, G. P.: 92 *footnote*, 131 *footnote*
- Townsite bill: see *Timber, Act for Culture of*
- Townsites: 40 and *footnote*, 133 and *footnote*, 170 and *footnote*
- Trade: rivalry of Pacific coast cities, 143 and *footnote*; amount in 1898, 154; Canadian competition, 203, 224, 366; Alaska's favorable balance of, 224-225, 224 *footnote*, 225 *footnote*, 254 *footnote*, 298 *footnote*, 300 and *footnote*, 385
- Traders: 109-110
- Trading and Manufacturing Act: see *Timber, Act for Culture of*
- Trans-Mississippi Commercial Congress: 210-211 and *footnote*, 216 *footnote*
- Transportation: to Aleutian Islands, 49; in 1885, 85, 87 and *footnote*, in 1889, 93, 122; for poor miners, 144 *footnote*; companies and homestead act, 156-157; test case on Criminal Code, 165; rates, 170, 224, 354; failure to tax vessels, 181 and *footnote*; consolidation of steamship interests, 202-203, 284, 308, 339 ff.; bills for improvement of, 231-232 and *footnote*; companies opposed to terr. gov., 257-258 and *footnote*, 304, 308, 390 ff.; problem before 59th Congress, 264 ff.; and coal, 341; see also *Railroads* and *Roads*
- Treadwell (Mining Co.): influence in appointment of Kinkead, 84 and *footnote*; attitude toward liquor, 111-112; lobby, 151; opposed to terr. gov., 207 ff.; opposed to Swineford, 257 *footnote*; intimidation in election of 1906, 283; of 1910, 361; support of Hoggatt, 296 *footnote*; and Wickersham, 334-335; see also *Corbus* and *McDonald*
- Troy, J. W.: 300-301
- Turner, George: 266
- Turner, L. M.: 116
- UNALASKA: 39, 49, 132, 191
- Underwood, Oscar W.: 369
- VALDEZ: region of 151-152; Chamber of Commerce, 206, 211; gift to Roosevelt, 213 *footnote*; terr. gov. at, 215 *footnote*, 217-218, 226; and B. F. Millard, 217 *footnote*; road to Eagle, 217 *footnote*, 224, 231-232

- and *footnote*, 246; annexation to Canada, 246-247, 249, 261, 366; opposition to Hoggatt, 282; fourth judicial division, 304; Alaska Syndicate experiments at, 306, 340 and H. B. Rynolds 306 ff.; and Cale, 314; referendum on terr. gov., 316 and *footnote*; support of Taft, 333 *footnote*; Alaska Territorial Club, 333; and Mondell, 346 and *footnote*; rivalry with Cordova, 351 *footnote*; coal, 370; petition to Fisher, 379 and *footnote*; last non-partisan convention, 393-394 and *footnote*; campaign of 1912, 395 ff.
- Valdez, Copper River and Yukon Railroad: 228
- Valdez Miner: quoted, 370, 385 *footnote*, 390, 393 *footnote*, 396 *footnotes*, 398 *footnote*
- Valdez News: quoted, 241 *footnote*
- Valdez Prospector: quoted 282 *footnote*
- Valentine, Emery: 382 *footnote*
- Vest, Senator: 110 *footnote*, 129
- WAITE, M. R.: 128-129
- Wall Street: see *Alaska Syndicate and Corporations*
- War Department, 350
- Washburne, E. B.: 50-51
- Washington State: annexation of Alaska, 135 and *footnote*; political adoption of Alaska, 203-204, 252 *footnote*; state bar association, 294-295 and *footnote*; Chamber of Commerce, 367; territorial act, 388 and *footnote*
- Washington Alaska Miners Association: 203
- Waskey, Frank: 275 ff., 278 ff., 284, 288 and *footnote*, 301 *footnote*
- Wells, H. L.: 431
- White Horse Star: quoted, 282
- White Pass Railroad Co.: 158-159 and *footnote*, 162, 188, 266
- Wickersham, George: 319, 360-361, 371, 373-374, 389-390
- Wickersham, James: 13, introduction by, 17 ff.; bills for territorial government, 24, 31-32, 325 ff., 383 ff., 407; and Ballinger, 24, 319, 320; and Beveridge bill, 26 ff., 349 ff.; and muckrakers, 29; mining policy, 225 *footnote*, 293, 325 ff., 334-335, 344 ff., 387; testimony at hearings, 228 ff., 238 and *footnote*; proposed as delegate, 229 *footnote*, and Nelson, 234 *footnote*, 293-294 and *footnote*, 315, 318 and *footnote*, 344, 389-390; and Roosevelt, 237-238 and *footnote*, 261 *footnote*, 293-294, 317, 318, 335; partisanship over, 256 ff.; resignation of judgeship, 292 ff.; 1908 candidacy, 292 ff.; 311 ff., and Barnette, 293 *footnote*; and Hoggatt, 294 *footnote*, 295, 302 and *footnote*, 318 ff., 334; and Cale, 295 ff., 300, 314, 334; stimulation of public opinion, 317-318, 320, 325-326, 328 *footnote*, 329 and *footnote*, 333-334, 335, 339, 357, 367, 368 *footnote*, 374 and *footnote*, 384-385, 389-390; Seattle speech, 317-318 and *footnote*, 335; and Shackelford, 318 ff., 347 and *footnote*, and Taft, 319, 328 ff., 335, 349 *footnote*, 377, and *footnote*, 385 and *footnote*, 389-390; and Atty.-Gen. Wickersham, 319, 371, 373-374, 389-390; and Gov. Clark, 321 and *footnote*, 322; as delegate to 61st Cong., 325 ff.; and saloon element, 326 ff., 356; criticism for inconsistency, 326-327, 334; as Progressive, 335 ff., 363 ff.; fisheries policy, 338-339; and Mondell, 345 ff.; and Sutherland, 347 ff.; estimate of population, 355 ff.; campaign of 1910,

- 358 ff.; and Controller Bay; 377, *footnote*; and Wesley L. Jones, 383-384; and *Post-Intelligencer*, 389-390; campaign of 1912, 395 ff.; and conservation, 397; Alaskana, 421
- Whites: 102 ff., 106 ff.
- Whitten, Thomas: 172
- Williams, L. L.: 244
- Willis, Representative: 401-402 and *footnote*
- Wilson, Senator: 400
- Wilson, Woodrow: 17, 369, 370, 401 *footnote*
- Wrangell: 35 *footnote*, 39, 66, 102, 217-218, 326
- Wyoming: 137
- YOUNG, S. HALL: 12, 66 *footnote*
- Yukon: 21; survey, 128 and *footnote*; and Klondike, 141 ff.; separate organization, 154 *footnote*, see *Pan-handle*; delegates to third non-partisan convention, 172-173; trade, 188, 224; opposition to terr. gov., 208 and *footnote*; visit of sub-com., 215; delegates to fourth non-par. con., 216; settlement, 253 ff.; railroads, 264 ff.
- Yukon Territory: formation, 143 *footnote*; government, 190-191, 246-247, 327; press comments, 246-247, 327
- Yukon Valley News: quoted, 283 *footnote*

979.8

5779

Nichols

Alaska

F
904
N62

F904 N62
Alaska;

Nichols, Jeannette Paddoc



0 0000 00071530 0
Gardner-Webb University Library



T2-BRS-631

